North Carolina State Library

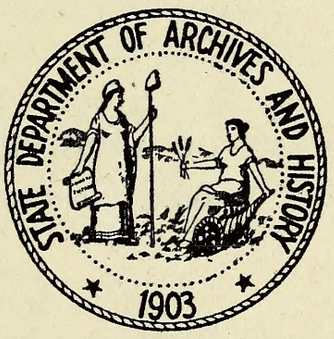
Digitized by the Internet Archive
in 2012 with funding from
LYRASIS Members and Sloan Foundation

http://archive.org/details/northcarolinahis1944nort

THE NORTH CAROLINA HISTORICAL REVIEW

ISSUED QUARTERLY

VOLUME XXI NUMBERS 1-4



JANUARY-OCTOBER, 1944

PUBLISHED BY
STATE DEPARTMENT OF ARCHIVES AND HISTORY
CORNER OF EDENTON AND SALISBURY STREETS
RALEIGH, N. C.

Selling Agents:
F. W. FAXON CO., 83 Francis St., Back Bay, Boston, Mass.

STATE LIBRARY

975.6
N813h

THE NORTH CAROLINA HISTORICAL REVIEW

Published by the State Department of Archives and History
Raleigh, N. C.

CHRISTOPHER CRITTENDEN, *Editor*
DAVID LEROY CORBITT, *Managing Editor*

ADVISORY EDITORIAL BOARD

ROBERT DIGGES WIMBERLY CONNOR
WALTER CLINTON JACKSON
ADELAIDE LISETTA FRIES

STATE DEPARTMENT OF ARCHIVES AND HISTORY

ROBERT DIGGES WIMBERLY CONNOR, *Chairman*
JAMES ALLAN DUNN
MRS. GEORGE MCNEILL
CLARENCE WILBUR GRIFFIN
GERTRUDE SPRAGUE CARRAWAY
WILLIAM THOMAS LAPRADE
MRS. SADIE SMATHERS PATTON
CHRISTOPHER CRITTENDEN, *Secretary*

This review was established in January, 1924, as a medium of publication and discussion of history in North Carolina. It is issued to other institutions by exchange, but to the general public by subscription only. The regular price is $2.00 per year. To members of the State Literary and Historical Association there is a special price of $1.00 per year. Back numbers may be procured at the regular price of $2.00 per volume, or $.50 per number.

NORTH CAROLINA
STATE LIBRARY

The North Carolina Historical Review

Table of Contents

VOLUME XXI

Number 1, January, 1944

THE FORMATIVE YEARS OF THE NORTH CAROLINA BOARD OF HEALTH, 1877-1893 1
Jane Zimmerman

THE SOUTHERN REFUTATION OF THE PRO-SLAVERY ARGUMENT 35
Kenneth M. Stampp

RECONSTRUCTION LETTERS FROM NORTH CAROLINA, PART IX, LETTERS OF BENJAMIN FRANKLIN BUTLER [*Concluded*] 46
James A. Padgett

BOOK REVIEWS 72
Fries's *Records of the Moravians in North Carolina*, Vol. VI—By S. K. Stevens; Barry's *Mr. Rutledge of South Carolina*—By C. E. Cauthen; Shaw's *William Preston Johnston*—By Robert D. Meade; Farish's *Journal and Letters of Philip Vickers Fithian, 1773-74: A Plantation Tutor of the Old Dominion*—By Julia Cherry Spruill; Bettersworth's *Confederate Mississippi: The People and Policies of a Cotton State in Wartime*—By Cecil Johnson; Meade's, Fossan's, and Thomas's *Calendar of Maryland Papers*, No. 1, *The Black Books*—By Lester J. Cappon; Meade's *Judah P. Benjamin: Confederate Statesman*—By Bell Irvin Wiley; Warren's *The Sword Was Their Passport. A History of American Filibustering in the Mexican Revolution*—By John Tate Lanning; *The Problem of Federal Field Office Records*—By A. R. Newsome; Johnson's *British West Florida, 1763-1783*—By Lowell Ragatz.

HISTORICAL NEWS 88

78616

NUMBER 2, APRIL, 1944

WILLIAM GASTON AND THE SUPREME COURT OF NORTH CAROLINA 97
JOSEPH HERMAN SCHAUINGER

DISLOYALTY TO THE CONFEDERACY IN SOUTHWESTERN VIRGINIA, 1861-1865 118
HENRY T. SHANKS

THE CAPTURE OF A CONFEDERATE BLOCKADE RUNNER, EXTRACTS FROM THE JOURNAL OF A CONFEDERATE NAVAL OFFICER 136
FRANK E. VANDIVER

RECONSTRUCTION LETTERS FROM NORTH CAROLINA, PART X, LETTERS OF JAMES ABRAM GARFIELD 139
JAMES A. PADGETT

NORTH CAROLINA BIBLIOGRAPHY, 1942-1943 158
MARY LINDSAY THORNTON

BOOK REVIEWS 165
CLARKE'S *Parliamentary Privilege in the American Colonies*—By HUGH T. LEFLER; GARRISON'S *The United States, 1865-1900: A Survey of Current Literature with Abstracts of Unpublished Dissertations.* Volume I, September, 1941-August, 1942—By R. H. WOODY; ANDREWS'S *The Soul of a Nation: The Founding of Virginia and the Projection of New England*—By ROBERT E. MOODY; MURPHY'S *Edgar Gardner Murphy*—By JOHN HOPE FRANKLIN; ALLEN'S *The Diary of a Voyage to China, 1859-1860*—By CHARLES S. SYDNOR; PORTER'S *Modern Negro Art*—By JOHN HOPE FRANKLIN; CONRAD'S *Harriet Tubman*—By JOHN HOPE FRANKLIN.

HISTORICAL NEWS 175

NUMBER 3, JULY, 1944

PUBLIC PRINTING IN NORTH CAROLINA, 1749-1815.... 181
MARY LINDSAY THORNTON

THE CORRESPONDENCE OF THOMAS HUGHES CONCERNING HIS TENNESSEE RUGBY 203
MARGUERITE B. HAMER

POET, PAINTER, AND INVENTOR: SOME LETTERS BY JAMES MATHEWES LEGARE, 1823-1859 215
CURTIS CARROLL DAVIS

RECONSTRUCTION LETTERS FROM NORTH CAROLINA, PART XI, LETTERS TO SALMON PORTLAND CHASE, PART XII, OTHER LETTERS: LETTERS TO LYMAN TRUMBULL; A LETTER TO THADDEUS STEVENS; THREE LETTERS TO EDWARD McPHERSON; AND A LETTER TO BENJAMIN FRANKLIN WADE 232
JAMES A. PADGETT

BOOK REVIEWS 248
GOERCH'S *Down Home*—By HUGH T. LEFLER; FRIES'S *The Road to Salem*—By EUGENE E. DOLL; BAGBY'S *The Old Virginia Gentleman and Other Sketches by George W. Bagby*—By A. P. HUDSON; WISH'S *George Fitzhugh: Propagandist of the Old South*—By JOSEPH C. ROBERT.

HISTORICAL NEWS 257

NUMBER 4, OCTOBER, 1944

THE NORTH CAROLINA DEPARTMENT OF REVENUE 265
ALLEN J. MAXWELL AND WILLIAM ORAN SUITER

W. W. HOLDEN AND THE ELECTION OF 1858 294
EDGAR ESTES FOLK

THE NEGRO POPULATION OF GUILFORD COUNTY, NORTH CAROLINA, BEFORE THE CIVIL WAR 319
WILLIAM EDWARD FARRISON

REPORT OF THE BRETHREN ABRAHAM STEINER AND FRIEDRICH CHRISTIAN VON SCHWEINITZ OF THEIR JOURNEY TO THE CHEROKEE NATION AND IN THE CUMBERLAND SETTLEMENTS IN THE STATE OF TENNESSEE, FROM 28TH OCTOBER TO 28TH DECEMBER, 1799 330
ADELAIDE LISETTA FRIES

BOOK REVIEWS 376
PASCHAL'S *History of Wake Forest College*—By ROSSER H. TAYLOR; LANNING'S *A Brief Description of the Province of Carolina*—By ROBERT E. MOODY; CORBITT'S *Addresses, Letters and Papers of Clyde Roark Hoey, Governor of North Carolina, 1937-1941*—By R. H. WOODY; SAYE'S *New Viewpoints in Georgia History*—By PHILIP DAVIDSON; WILEY'S *The Plain People of the Confederacy* and RAMSDELL'S *Behind the Lines in the Southern Confederacy*—By R. H. WOODY; MOTT'S *Jefferson and the Press*—By CULVER H. SMITH.

HISTORICAL NEWS 386

THE NORTH CAROLINA HISTORICAL REVIEW

VOLUME XXI JANUARY, 1944 NUMBER 1

THE FORMATIVE YEARS OF THE NORTH CAROLINA BOARD OF HEALTH 1877 - 1893

By JANE ZIMMERMAN

Many interesting phases of history often are neglected by those who write history. One phase which has too often been overlooked by historians in North Carolina is the story of the struggle for a state board of health. The average citizen of North Carolina knows today that his state has an efficient, well-organized Board of Health; yet, that same citizen knows nothing of the pioneer effort which brought that Board of Health into being. He knows nothing of the difficulties which the early leaders of the health movement in North Carolina faced; nor does he know anything of those leaders.

North Carolina was one of the earlier states to work for a board of public health, and it is in an attempt to tell the story of that work that this study is made. I have attempted, in no sense of the word, to write a comprehensive history of the work of the Board of Health in North Carolina. My study is only a fragment of such a history. For the purpose of this article, it has seemed best to limit the discussion to the pioneer period in the Board's life, from 1877, the year of its establishment, to 1893. The latter date, 1893, is not chosen arbitrarily. It is chosen, first, because the years from 1877 to 1893 have been recognized as a pioneer period in the life of the State Board of Health. Dr. Robert Digges Wimberly Connor, speaking of the Board of Health, and especially the work of its first two secretaries, Doctors Thomas Fanning Wood and Richard H. Lewis, says that

To these two pioneers of public health work, Thomas Fanning Wood and Richard H. Lewis, North Carolina owes one of the most brilliant chapters in her history. In the face of widespread professional opposition and almost universal popular indifference these undaunted leaders placed public

health work in North Carolina on a firm foundation. They procured legislation for compulsory bacteriological examination of public water supplies, for strict quarantine of contagious diseases . . . but their greatest work during this pioneer period, beginning with the publication in 1877 of the Board's first bulletin—*Timely Aid for the Drowned and Suffocated*—was their educational activities.[1]

Archibald Henderson, in his recent *North Carolina: The Old North State and The New,* says:

The public health movement required pioneering. Public health is not a subject mentioned in the State Constitution. Health laws and regulations derive from the general "police power" of government. Very slowly and in the face of popular apathy rather than active opposition was the work of the Department of Health recognized and justified.[2]

Even more significant than the recognition given to the pioneer period by historians are the facts of history. In 1893 the legislature passed an act which was considered by the public, by the press, and by the medical profession as the best "health act" North Carolina had ever had. In April, 1893, the *North Carolina Medical Journal* stated that both the medical profession and the laity were beginning to appreciate the work of the Board of Health.[3] That appreciation helped to assure the Board of Health a permanent place among the institutions of the state.

It was not until the period following the Civil War that the people of North Carolina became actively interested in a state board of health. During the years of the war, men and women were brought face to face with the horrifying conditions of health and sanitation which came as a result of the conflict. As soldiers advanced into new territories, they carried with them typhoid fever, smallpox, and other perilous diseases, scattering them throughout the country. Many soldiers returned to their homes and unwittingly became carriers of typhoid. North Carolina was visited by the invading armies, who left behind them an aftermath of disease. A traveler in Wilmington in 1862 tells of a yellow fever epidemic which descended upon the town and "raged with terrific effect for two or three months."[4] One of the victims of the devastating scourge was Doctor James H. Dickson, of Wilmington, who had ministered night and day to the sufferings of his townsmen. Doctor Dickson was a member of the North Carolina Medical Society, and his death from yellow fever greatly affected his fellow members who began to realize

[1] Robert Digges Wimberly Connor, *North Carolina Rebuilding An Ancient Commonwealth,* II, 569-570.
[2] Archibald Henderson, *North Carolina: The Old North State and the New,* II, 445.
[3] *North Carolina Medical Journal,* XXXI, 179 (April, 1893).
[4] Alfred Moore Waddell, *Some Memories of My Life,* p. 55.

that North Carolina needed to provide better means to protect the people from dangerous diseases.[5]

The end of the war in 1865 did not make less acute the problems of health and sanitation. In addition to the soldiers who returned from service, great masses of the freedmen flocked to the towns.[6] The outbreak of smallpox, which had started in the early months of the war and had increased as the four years rolled by, reached its culmination in 1866. In Wilmington, by October, 1865, the disease had begun to wear the appearance of an epidemic. According to the report of the City Smallpox Hospital, from October 10, 1865, until July 7, 1866, seven hundred sixty-one persons were admitted to the hospital. Most of those afflicted with the malady were Negroes.[7]

The Civil War also brought forth a leader for public health work in North Carolina. Among the Confederate soldiers who, at the end of the war, returned to North Carolina to find a place in the new order which the war had brought, was a young doctor —Thomas Fanning Wood, of Wilmington. Before the war, young Wood had worked in local drug stores and studied under local apothecaries until he had learned a great deal about drugs; then he had become the private pupil of various physicians in the town. But it was the war that gave him his chance. Having volunteered for service, he entered the war as a private in the Eighteenth Regiment, North Carolina Infantry. He was later made a hospital steward in the North Carolina Hospital in Richmond. During his time "off-duty" he was detailed by the Secretary of War to attend lectures at the Medical College of Virginia. With this preparation, he was able to pass a medical examination, and as a result, in February, 1863, he was appointed Assistant Surgeon and assigned to the Third Regiment, North Carolina Infantry, Jackson's Corps. On April 9, 1865, he was with General Lee's army at the surrender of Appomattox.

Returning to Wilmington at the end of the war, Doctor Wood began the practice of medicine. He soon discovered that the Northern armies had left in their wake an epidemic of smallpox. The epidemic became so intense that Doctor Wood established a hospital for the sick and indigent Negroes who were

---

[5] "Minutes of the Proceedings of the Thirteenth Annual Meeting of the Medical Society of the State of North Carolina," *Transactions of the Medical Society of North Carolina* (1866), p. 9. (Hereinafter cited as *Transactions.*)

[6] James Garfield Randall, *The Civil War and Reconstruction*, p. 726.

[7] J. B. Purcell, *Wilmington in Health and Disease*, p. 15. Of the total number afflicted with the disease, 114 negroes and 3 whites died.

flooding the town. In this hospital he cared for over thirteen hundred cases.[8]

This work with men without means of support and unable to care for themselves doubtless gave the young doctor his forward-looking vision of the possibilities of public health work in North Carolina. Just how completely he grasped the far-reaching results of his idea, or how clearly he saw the ever-increasing number of lives saved as a result of his vision and inspiration, we shall never know; but that the movement became inextricably tied up with his life, that the vision never left him, and that under its sway he worked until his influence reached the people of his state, we do know.

He worked through the *North Carolina Medical Journal,* which he, with Doctor Moses John De Rosset, edited, through the North Carolina State Medical Society, through a little group of doctors in his own city, and through a greater group of friends throughout the state, until the General Assembly passed an act which brought the North Carolina State Board of Health into being.[9]

One has only to read the *Transactions of the North Carolina Medical Society* to feel that the State Board of Health was a child of the Medical Society. As early as May 16, 1872, this body was discussing the possibility of establishing a state board of health. On that date, at a meeting in New Bern, a committee, appointed to consider and suggest special subjects deserving legislative action, proposed:

> . . . a committee to solicit at the hands of the Legislature the passage of an act providing for a Board of Public Charities, etc., so as to have such a Board not one of charity alone, having supervision as now over the penal and charitable institutions of the State, but one of health and vital statistics; also embracing in its scope of duties, investgations of the causes effecting [sic] the health and lives of the people . . .[10]

When the proposal was presented to the general meeting of the Medical Society, there was a great deal of debate as to the wisdom of sending a lobbying committee to the General Assembly. Doctor Charles O'Hagan, of Greenville, forcibly expressed his opposition, saying that it would not only be a

---

[8] "Autobiographical Sketch of Thomas Fanning Wood" (written in 1892), *Southern Medicine and Surgery,* XC, 794 (December, 1928). See also Edward Jenner Wood, "Thomas Fanning Wood," *Dictionary of American Medical Biography;* and George M. Cooper "The Woods—Father and Son," *Southern Medicine and Surgery,* XC, 787-794 (December, 1928).

[9] *Laws and Resolutions of the State of North Carolina, Passed by the General Assembly* (1876-1877), p. 156. (Hereinafter cited as *Laws of North Carolina.*)

[10] *Transactions* (1872), p. 6.

futile gesture, but that the task of awakening the General Assembly to the needs of the people was a task for the press and pulpit; and besides, he was unwilling to make martyrs of a committee from the Medical Society by sending members of that body as suppliants to the North Carolina General Assembly. Doctor O'Hagan's opinion prevailed, and the lobbyists were not sent to Raleigh.[11]

In December, 1875, the Eastern Medical Association, at a meeting in Wilmington, decided to renew the fight for a board of health, and to try to arouse more enthusiasm within the State Medical Society in such a board. The Eastern Association believed that it would be impossible to secure a board of health for the state unless the State Medical Society brought pressure to bear on the General Assembly.[12]

In the fight for a board of health, a little group of physicians in Wilmington led the offensive. In February, 1875, a bill providing for the appointment of a superintendent of health for the city of Wilmington was sent to the General Assembly, along with a petition expressing a keen desire for a medical officer to look after the sanitary conditions of the city and see that public health regulations were adopted and carried out. This petition bore the signatures of eleven physicians of Wilmington.[13] The bill was passed.[14]

At the next annual meeting of the Medical Society of North Carolina, the members turned with great interest to the idea of some system of public health work for the state. Doctor S. S. Satchwell, of Rocky Mount, presented a paper on "State Medicine and Preventable Diseases."[15] The paper was described in the Minutes of the meeting as "a clear and forcible argument in favor of the establishment of a State Board of Health." As a result of this paper, a committee was appointed to memorialize the legislature on the subject. The members of the committee were Doctors S. S. Satchwell of Pender County; R. L. Payne, of Davidson County; M. Whitehead, of Rowan; and George A. Foote, of Warren.[16] With the next meeting of the General Assembly, this committee went to Raleigh and remained there much

---

[11] *Transactions* (1872), p. 21.
[12] *Transactions* (1876), p. 19.
[13] Unpublished Legislative Papers for 1874-1875, State Department of Archives and History, Raleigh.
[14] *Laws of North Carolina* (1874-1875), p. 586.
[15] *Transactions* (1876), pp. 29-52.
[16] *Transactions* (1876), p. 6.

of the winter, lobbying for a state board of health. This committee was joined by Doctors Eugene Grisson and N. J. Pittman,[17] who, on February 12, 1877, helped to secure the passage of the bill establishing the North Carolina State Board of Health.

The Board of Health as established by the General Assembly was to consist of all the members of the North Carolina Medical Society. The duties of the Board were two-fold: first to make sanitary investigations and inquiries with respect to the people, the causes of diseases, the sources of mortality, the effects of localities, employments, conditions, and circumstances on the public health; and second, to diffuse information on questions of health and sanitation among the people. The members of the Board were to become the medical advisers of the state, and, as such, to give advice to the government "in regard to the location and sanitary management" of public institutions. They were to call the attention of the state to such sanitary matters as in their judgment affected the "industry, prosperity, happiness, health, and lives of the citizens of the state." And finally, they were to make to each regular session of the General Assembly, through the governor, a report of the work, investigations, and discoveries of the Board, together with suggestions for further legislative action which the Board believed to be necessary. The act provided an annual appropriation of $100 to defray the necessary expense of the Board.

From the beginning, the need for local organizations was recognized, and the "Act to Establish Boards of Health in the State of North Carolina" specified that county medical societies should constitute county boards of health, and that they should coöperate with the State Board in carrying out public health functions. The county boards were to look to the legal authorities of the counties and incorporated towns for their executive duties and powers and to act with those authorities in drawing up any rules and regulations that the two parties might deem expedient.[18]

On May 23, 1877, at Salem, North Carolina, during the annual meeting of the North Carolina Medical Society, the first machinery for organizing the State Board of Health was set in motion. Doctor S. S. Satchwell was elected president, or chairman of the

---

[17] *Transactions* (1877), p. 73.

[18] *Laws of North Carolina* (1876-1877), pp. 154-156. In its composition, the North Carolina Board of Health was modeled after the Alabama Board, which included the members of the Medical Association of Alabama.

Board of Health; and Doctor Thomas Fanning Wood, secretary and treasurer. At this organization meeting the committee appointed to frame the by-laws and make regulations for the action of the Board of Health recommended that the duties imposed upon the State Medical Society, by the act which had authorized it to act as the State Board of Health, be performed by an executive committee. The Medical Society would appoint this committee and make a report of its appointments to the governor at the next meeting of the General Assembly. The following committee was named to assume these responsibilities: Doctors S. S. Satchwell, Thomas Fanning Wood, Charles Duffy, Jr., Peter E. Hines, and George A. Foote. It was also ordered that the one hundred dollars appropriated by the legislature for the State Board of Health be deposited with the treasurer of the State Medical Society, subject to the order of the treasurer of the Executive Committee of the Board of Health.[19]

The act as passed by the legislature was not all that those who had fought for the passage of such a bill desired; but it was accepted because advocates of public health supervision believed it to be a beginning of the work they advocated. Doctor Wood expressed the attitude of the Medical Society when he wrote that the act was considered by the great majority of the members of the Society an insult to the intelligence of that body. Yet, said he:

> Some of the members willing to undertake it, with not more money from the State than enough to pay the stationery bills, it was accepted with a very bad grace. A great deal of work has been attempted with a view of organizing and putting all strings in readiness for the future day when the Legislature will have learned wisdow Enough [*sic*] to make an appropriation adequate to the necessities of the case.[20]

Doctor Satchwell showed a similar spirit of hopefulness in his address entitled, "Board of Health," before the North Carolina Medical Society in 1877. He said that the appropriation for the newly established board was small because the state treasury was in a depleted condition. His belief was, however, that if the Society was careful in carrying out its required duties and in electing competent persons to assist in its work, then each successive legislature would increase the amount allotted.

---

[19] *Transactions* (1877), p. 9.

[20] "Sketch of the Medical Society of North Carolina," MS in the papers of Doctor Thomas Fanning Wood, now in the private possession of Doctor George M. Cooper, Raleigh, North Carolina. This manuscript is undated and unsigned, but Miss Jane Wood, daughter of Doctor Wood, has sworn that this was written by her father.

With adequate funds the state could have a useful health department with perhaps a full-time commissioner as a state officer.[21]

Interest in the newly created Board of Health was not limited to the members of the North Carolina Medical Society or to the medical profession. The press became an instrument for expressing public sentiment favorable to the Board. In 1877 an editorial in the Wilmington *Weekly Star* invited the special attention of physicians, legislators, and others interested in health and vital statistics to the work of the infant State Board of Health. The *Star* referred regretfully to the parsimony of legislators who had appropriated only one hundred dollars to work of such vital significance. It then added: "We believe that an appropriation of $2,000 would not have been more than enough to carry out successfully and efficiently the very important end in view."[22]

The work of the Board of Health, as established by the law of 1877, was very inefficient and unsatisfactory. The fact that it consisted of the one hundred and fifty members of the North Carolina Medical Society, with no definite organization, would lead one to believe that it had only nominal existence. With only one hundred dollars for correspondence with members in ninety-four counties, Doctor Wood started putting the machinery in motion; and, during the first twelve months, he sent out an average of about two hundred letters per month.[23]

From the beginning, Doctor Wood was conscious of the inadequacy of the State Board of Health as established in the original act; at the same time, however, he was hopeful that the General Assembly would see the possibilities of the work that had been started and improve the legislative provisions that made the work possible. In June, 1878, he made the following appeal for further legislative action:

> But we need not pursue this argument further to convince thinking people that the State will save thousands of dollars by vitalizing her Board of Health. Gentlemen of the Legislature should not expect too much gratuitous aid from the medical profession of North Carolina. They are already overburdened with the care of the hundreds of indigent people the State cannot provide for, and it will be shameful if they allow them to struggle on without help to carry out that which in other states, has achieved such results. Vitalize your already existing Board of Health or wipe it off the Statute Books![24]

---

[21] *Transactions* (1877), p. 75.
[22] Issue of November 2, 1877.
[23] *Transactions* (1878), p. 16.
[24] *North Carolina Medical Journal*, I, 410 (June, 1878).

The sustained effort to place the Board of Health on a higher plane continued; and on January 20, 1879, a committee from the North Carolina Medical Society met in Raleigh. After having weighed the temper of the legislature, the committee drew up a bill which would not only change the membership of the State Board of Health as established, but would also change the general method of organization and the functions of the Board. The bill, although considered a step forward by those who wanted to vitalize the existing Board, was not at all what the committee desired. It was actually little more than a compromise measure with a few moderate innovations which the committee thought might be acceptable to the General Assembly. To have asked more probably would have meant defeat for the whole matter.[25]

The bill which the committee from the Medical Society proposed was sent to Governor Zebulon Baird Vance, who gave it his personal approval. On January 25, 1879, the governor sent the "Report of the Secretary of the State Board of Health of North Carolina" to the General Assembly with the following communication: "I commend it and the suggestions it contains to your careful attention. The great importance of the subject and the eminent source from which the report emanates, claim an earnest degree of your consideration."[26]

Despite Governor Vance's approval of the desired plan, the bill from the Medical Society was changed drastically before it passed the two houses of the General Assembly; but on March 14, 1879, the "Act Supplemental to An Act Creating the State Board of Health" was passed.[27] This Board, with many modifications and changes, has functioned ever since.

The Board of Health as reconstituted in 1879 was to consist of nine members, six of whom were to be chosen by the Medical Society from its active members, and three to be appointed by the governor. One of the members appointed by the governor was to be a civil engineer. The law provided that the members elected by the Medical Society should serve two for six years, two for four years, and two for two years; whereas those appointed by the governor would all serve only

[25] *North Carolina Medical Journal*, III, 43-44 (January, 1879).
[26] *Public Documents of North Carolina* (1879), Document No. 20, p. 5.
[27] *Laws and Resolutions of the State of North Carolina* (1879), p. 219.

two years. All vacancies were to be filled by the Board of Health.

The officers of the Board of Health were to be a president and a secretary-treasurer, the latter to be paid for his services, the amount to be fixed by the Board. The other members of the Board were to receive compensation of two dollars per day plus travel expenses while on actual duty at meetings, or while making investigations of matters pertaining to the health of the people.[28]

The general duties which had been written into the original act were included in the "Supplemental Act" of 1879.[29] In addition to these functions, provision was made for issuing bulletins at the outbreak of epidemic diseases, designed to disseminate to the public information on how to prevent and check the spread of dangerous diseases; for the chemical examination and analysis of water; and for the organization of auxiliary boards of health in the counties. The county boards were to be composed of all the regular practicing physicians in the county, the mayor of the county town, the chairman of the board of county commissioners, and the city or county surveyor. From this group, one physician was to be elected to serve for two years as county superintendent of health.

The new health law of 1879 provided for a threefold program of disease control: this program included inland quarantine, the abatement of nuisances, and vaccination. Inland quarantine was placed in the hands of the county boards of health, with the county superintendents responsible for the quarantine and isolation of inland cases of smallpox, yellow fever, scarlet fever, and other diseases "dangerous to the public health." Failure on the part of county superintendents to carry out their duties in regard to quarantining diseases made them subject to a fine of twenty-five dollars or imprisonment in the county jail. This marked the beginning of compulsion in the laws.

As a means of further protection against diseases, nuisances considered "dangerous to the public health" were to be abated by the parties occupying the premise on which the nuisance existed, according to the means prescribed by the county superintendent of health. Failure to give warning of the

[28] *Laws of North Carolina* (1879), p. 214.
[29] See above, page 9.

nuisance, or to carry out the directions of the superintendent, was to be a misdemeanor, subject to a fine or imprisonment.

The third means of disease prevention was vaccination. The law took cognizance of this by specifying that the secretary of the State Board of Health should keep on hand a supply of fresh smallpox vaccine, to be sent to the county superintendents in case of a threatened outbreak of smallpox. The county superintendents were also required to vaccinate all persons applying for such service, all persons admitted to jails, workhouses, and poorhouses, and also all public school children free of charge.

The most important innovation in the new act was the creation of auxiliary boards of health in the counties. Certain important functions were left to the county superintendents of health. For instance, they were to be responsible for the important tasks of gathering and registering vital statistics; of performing the medico-legal post-mortem examinations for coroner's inquests; of attending prisoners in jails and inmates of poorhouses, workhouses, and other county institutions; of making regular reports to the secretary of the State Board of Health; and of carrying out all work as directed and suggested by the State Board. For these services, the county superintendents were not granted any fixed salaries, but were to receive such amount as was spent in the year 1878 for medical attendance on the jails, poorhouses, and workhouses, plus the amount paid to the county coroners for medico-legal examinations. Some counties paid nothing for these services, and others, a very small amount.[30]

A meeting to reorganize the North Carolina Board of Health was held on May 21, 1879, at the old McAdoo House in Greensboro. The following doctors, members of the Medical Society, were elected to the Board of Health: S. S. Satchwell, of Rocky Point; Thomas Fanning Wood, Wilmington; Charles J. O'Hagan, Greenville; M. Whitehead, Salisbury; and R. L. Payne, Lexington. The governor appointed A. R. Ledoux, Professor of Chemistry at the University of North Carolina, Chapel Hill; William Cain, civil engineer, Charlotte; and Doctor Henry G. Woodfin. Doctor S. S. Satchwell was re-elected president of the State Board of Health and Doctor Wood, secretary and treasurer.

---

[30] *Laws of North Carolina* (1879), pp. 215-217.

At this meeting, Doctor A. R. Ledoux proposed that the secretary of the State Board of Health be entrusted to work out and to execute the details of the legislature provisions. The proposal was accepted, and Doctor Wood, as secretary, became virtually the "Board of Health."

All public health laws of the state having been placed unequivocally in his hands for enforcement and execution, Doctor Wood began his efforts to make the newly established Board of Health a vital force in the life of the state. From the beginning, however, his work was fraught with many difficulties. Counties found it easy enough to organize boards of health, but more difficult to carry out the program suggested by Doctor Wood. County superintendents were not enthusiastic about performing many services for almost no compensation; and the *Biennial Reports* of the early years show a constant turnover of county superintendents. Some commenced their work earnestly, but when they discovered that their work depended upon the coöperation of every physician in the county, and that "reports from these gentlemen were fitful and uncertain," they gladly abandoned their work to others.[31]

Perhaps the greatest handicap to the success of the program was the lack of funds; but Doctor Wood had so much faith in the ultimate success of the work he had undertaken that in the biennium, 1879-1880, he spent $831.99 instead of the $400.00 appropriated for the two-year period, or $431.99 from his own private funds.[32] In explaining this to the General Assembly, Doctor Wood said that he had done this in "order to keep the machine in running order until help would come."[33]

Miss Jane Wood, daughter of Doctor Thomas Fanning Wood, has attested to her father's great benevolence:

> From early childhood, I understood that the health of the State came first in our household. My father was the first secretary and in those days no funds were provided either for salary or expenditures. The office was my father's medical office, the supplies were part of his private equipment, and it was out of his own pocket that the enterprise lived until it could get the support of the legislature. At that time we rather disliked the sacrifices this financial burden entailed, but when we [Miss Wood and two small brothers] grew old enough to realize what my father's efforts meant to the State, we were glad and proud to coöperate.[34]

---

[31] *First Biennial Report* (1879-1880), pp. 2-3, 9.
[32] "Cash Book—Board of Health," MS in Wood Papers, now in the private possession of Doctor George M. Cooper, Raleigh.
[33] *First Biennial Report* (1879-1880), pp. 22-23.
[34] Miss Jane Wood, Wilmington, North Carolina, to the author, July 11, 1941.

Despite attempts to bring about a more effective public system, for six years the General Assembly did nothing to change the organization of the Board of Health. Bills designed to revise the State Board of Health as established by the 1879 act were introduced in 1881 and 1883,[35] but both times failed to pass. The North Carolina Medical Society, disappointed by the lack of interest in the health work of the state on the part of legislators, nevertheless continued its fight for a more efficient Board of Health.

In May, 1884, at a conjoint meeting of the State Board of Health and the North Carolina Medical Society held in Raleigh, Doctor Wood gave a very pessimistic report on the work of the Board of Health. He said quite frankly that he was discouraged. He pointed to the measly two hundred dollars a year handed out by the legislature and said that the interests and objects of the Board seemed to be in retrograde condition in North Carolina while other states went forward in the opposite direction. He believed a crisis was imminent in the history of the Board. Influenced by Doctor Wood's report, Doctor Satchwell offered a resolution to the effect that the Medical Society appoint a committee to beseech the legislature in behalf of the Board. The resolution requested also that all of the local superintendents from the counties and the members of the State Board come to Raleigh when the legislature met, in an effort to impress that body with the need for changes in the laws and for more adequate funds with which to carry out the work of the Board. The Medical Society finally adopted a resolution requiring the president of the Medical Society to appoint a committee to go before the legislature and request an adequate appropriation to be used by the Board in behalf of the "high and humane objects of the Board."[36]

The persistent efforts of a few enthusiastic supporters of the Board of Health evidently impressed the legislators, for the General Assembly which met in 1885 not only amended the laws so as to make the county boards more efficient, but also increased the annual appropriation from two hundred to two thousand dollars. The General Assembly further set up a contingent fund of two thousand dollars to be expended in pursuance of the pro-

---

[35] Unpublished Legislative Papers, 1881 and 1883. State Department of Archives and History, Raleigh.

[36] *Transactions* (1884), pp. 31-32.

visions of the act, when rendered necessary by a visitation of cholera or any other pestilential disease.

The act of 1885 also expanded the duties of the county superintendents to include the examination of lunatics for commitment, the sanitary inspection of the jails and poorhouses in their respective counties, and the filing of monthly reports to the boards of county commissioners. In case there was no county superintendent of health, then it was the duty of the county commissioners to employ a member of the board of health to perform the necessary duties. The county superintendents, or those assigned the work of the county superintendents, were to be paid regular salaries, the amount to be fixed by the county commissioners.[37]

Commenting on the new act which the General Assembly had just passed, the editor of the *News and Observer* wrote:

> By the recent act of the legislature the powers of the board have been greatly enlarged. An appropriation was made specially for the use of the board. The main object of the meeting yesterday was to organize and take steps looking to the prevention of cholera. The scourge is expected to visit the United States the coming summer, and North Carolina is but falling into line with her sister states in taking these most necessary precautions.[38]

For eight years the Board of Health functioned under the act of 1885, and the people of North Carolina looked more and more to the State Board of Health for protection against diseases. Health officials, nevertheless, remained dissatisfied with provisions of the law, especially those pertaining to vaccination. By 1892 superintendents of health were convinced that vaccination laws could be made effective only if compulsory, and that the existing requirements were practically worthless. The North Carolina Medical Society decided to ask the Board of Health to send a committee to Raleigh during the next meeting of the General Assembly to work for a mandatory vaccination law.[39]

Realizing that the vaccination laws were not the only weakness in the Health Act, but that the entire act needed to be changed, the Board of Health decided to call a general health conference to convene in Raleigh on January 24, 1893. Invitations to attend were sent to six hundred and fifty officers of the state government, members of the General Assembly, county superintendents of health, mayors of towns, county commissioners, physicians, lawyers, merchants, and other prominent

---

[37] *Laws of North Carolina*, (1885), pp. 459-463.
[38] *News and Observer* (Raleigh), March 24, 1885.
[39] *Transactions* (1892), p. 52.

men in the state. This conference drew up a bill which was presented to the General Assembly.[40]

When the General Assembly met, Governor Thomas Michael Holt spoke in the interest of health work, and asked the General Assembly to carefully consider "any suggestions on this line that may be made to them by the Board." He suggested the "advisability of the appointment of a special joint committee to confer with the health authorities in regard to the needed sanitary legislation."[41] In response to the governor's request, the General Assembly appointed a committee on public health, the first ever appointed by a North Carolina legislature.[42]

The act passed by the General Assembly in 1893 was in many respects an improvement over the old law. Under the new law the duties of the State Board of Health were expanded to include an inspection once each year of all public institutions. An inspection of the State Penitentiary included inspections of all convict camps under its control. If the State Board of Charities desired inspections more often, it could request the State Board of Health to make them. After inspecting the institutions, the State Board had to make a report of their sanitary conditions, with suggestions and recommendations, to their respective boards of directors or trustees.

The new law provided for much better protection against the introduction and spread of contagious diseases. Inland quarantine was left in the control of the county superintendents of health, who were required to quarantine and isolate persons infected with a disease "especially dangerous to the public health" within twenty-four hours after learning of the disease. These superintendents of health were also responsible for fumigating and disinfecting the rooms occupied, and the articles used, by a person sick of any of the diseases mentioned in the act. In case the person died, the act authorized that the body be removed and the room disinfected according to the specifications given therein. The expense involved in carrying out quarantine or disinfecting requirements were to be borne by the householder in whose family the disease occurred. If, however, the householder was financially unable to bear the expense, the city, town, or county of which he was a resident was responsible. Failure on the part of a county superintendent to perform his lawful duties

[40] *Fifth Biennial* Report (1893-1894), pp. 17-18.
[41] *Public Documents* (1893), pp. 57-58.
[42] *Fifth Biennial Report* (1893-1894), p. 18.

subjected him to a penalty which the county commissioners could inflict by deducting from his salary five dollars for each day of delinquency. Any person who failed to comply with the quarantine rules as promulgated by the law was guilty of a misdemeanor and subject to a fine of not less than five nor more than fifty dollars, or to imprisonment for a term of not less than ten nor more than thirty days. All householders and physicians were made responsible for reporting persons infected with either of the dangerous diseases mentioned in the act; and failure to report and to quarantine such cases, or to disinfect according to the instructions sent out from the office of the secretary of the State Board of Health, carried with it a penalty.

Those who wrote the "Health bill" made a special effort to protect school children from diseases, particularly epidemics. The boards of health of cities and towns, or if no board of health, the mayor or the county superintendents of health, were required to give the school committee of the city or town, the principals of private schools, and the superintendent of public instruction of the county, notices of all cases of contagious diseases of which they had knowledge. On the other hand, school committee, superintendent, or principal who knew that any member of the household to which a pupil belonged was sick of any of the dangerous diseases was required to see that no pupil from such a household should be permitted to attend school, unless the pupil presented a certificate of admission signed by the attending physician, city health officer, or county superintendent of health.

For the first time the State Board of Health was authorized to regulate common carriers and to prevent them from spreading diseases by carrying infected persons, or the bodies of persons who had died from infectious diseases. If a common carrier conveyed the remains of a person who had died of smallpox, scarlet fever, measles, diphtheria, typhoid fever, cholera, or yellow fever, it could do so only after complying with the rules for disinfecting and encasing the body as prescribed by the State Board of Health.

Specific regulations were made concerning public water supplies and the protection of the purity of the water. According to the 1893 act, the State Board of Health was given general oversight and care of all inland waters, with the right to analyze those waters from time to time in order to ascertain whether they were pure enough to be used as sources of domestic water

supplies, or in a condition likely to impair the interests of the public or of persons using them, or to endanger the public health. The Board was also authorized to consult with and advise the boards of directors of all state institutions, town and city authorities, and corporations or firms that had introduced systems of water supply, drainage, or sewerage, as to the best source of supply, the most practicable method of keeping the water pure, and of the best means of drainage and sewerage disposal. Before boards of directors, city authorities, corporations, and firms could adopt a new system of water supply or sewerage disposal, they were obligated to notify the State Board of Health of their intentions, and to submit their plans and schemes to the Board for its approval or recommendations.

The section of the act pertaining to vaccination was a disappointment to the members of the Board of Health and the State Medical Society. The new law merely stated that on the appearance of a case of smallpox in any neighborhood, every person admitted to a public institution in that county should be vaccinated, and that the county superintendent should vaccinate free of charge every person not able to pay, whether in a public institution or not. The law also provided that the "authorities of any city or town, or the Board of County Commissioners of any county, might make such regulations and provisions for the vaccination of its inhabitants" as it deemed necessary to "protect the public health." One of the weaknesses of this provision arose from the fact that the law failed to state positively whether the law granted this power to the county and municipal authorities at all times, or only when a case of smallpox actually existed in their locality.

At least two other provisions of the "health act" enacted by the legislature in 1893 received unfavorable criticism. The new law gave the governor the right to appoint five of the members of the Board of Health, and the Medical Society four. A great many people believed that it was bad to take the appointment of a majority of the State Board of Health from the Medical Society and to give the power of appointment to the governor. Many also objected to reducing the term of office of those elected by the Society from six to two years to correspond with the term of the governor's appointees.[43] Commenting on these changes, Doctor J. W. McNeill, in his presidential address to the State

[43] *Fifth Biennial Report* (1893-1894), p. 84.

Medical Society in 1893, said that he looked upon these changes as of "vital importance." He expressed the fear that, under political pressure, the composition and the methods of the Board would soon be such that the child would "hardly be recognized by its own mother—the State Medical Society."[44]

One part of the act generally regarded as a commendable change related to the salaries of county superintendents of health. Under the old act county superintendents were compensated for their services only as the county commissioners directed. Under the new act there were two alternatives: the superintendents of health were permitted to charge the usual medical fees that prevailed in their counties for a particular service rendered; or, if mutually agreed upon by the county commissioners and the superintendents of health, they could receive from the county a salary of not less than one hundred nor more than one thousand dollars in place of the fees.[45] In commenting upon this change, the editors of the *North Carolina Medical Journal* said that this ought "forever" to remove the aspirants for the position in each county beyond the pale of county politics, and should safeguard the public from the "sad spectacle of honorable physicians assailing one another's professional characters, and bidding against one another for these positions, and, above and beyond all, cringing to and fawning upon, the honorable, the county commissioners."[46]

Although the "Act Relating to the Board of Health" was not all that the medical profession of the state desired, it was generally accepted as a great improvement over all preceding acts. From the standpoint of financial support for the Board of Health, the act offered little. It did, however, define more clearly the duties of the state and local boards, in many cases making those duties mandatory; and the act, with all of its imperfections, secured for the people of North Carolina better protection from diseases than they had ever had. It marked the culmination of the pioneer legislation in the history of the movement; henceforth the Board of Health was looked upon as a permanent state agency, and was to receive more and more support from the General Assembly.

In spite of the lack of funds and inadequate support from the General Assembly, the State Board of Health carried on

---

[44] *Transactions* (1893), p. 31.
[45] *Public Laws of North Carolina* (1893), pp. 172-179.
[46] *North Carolina Medical Journal*, XXXI, 178 (April, 1893).

its work in an amazing manner. In those first years the secretary's reports, both to the General Assembly and to the North Carolina Medical Society, show that significant beginnings were made and that each year the Board expanded its program for the improvement of the health of the people. Incomplete returns from the county boards of health make it impossible to determine to what extent sickness was checked and controlled in the state, or how much, if any, the death rate was reduced; but certain functions were performed by the infant State Board of Health, and those functions indicate that a worthwhile service was rendered. The very fact that by the end of 1879 fifty counties had organized health departments and were already engaged in securing vital statistics and registering cases of illness is indicative of increasing activities and of growing interest in the work.

Realizing very early that the health of the people depended greatly on the sanitary conditions in which those people lived, the State Board of Health set out to improve those conditions, especially in the county towns. Among the sanitary features studied and investigated by the Board of Health were the sewerage systems, the drainage of streets, the sources of water supply, and the ventilation and heating of public buildings. In connection with this work the State Board of Health issued two interesting bulletins, one, *Disinfection, Drainage, Drinking Water and Disinfectants*, and the other, *Sanitary Engineering*.[47] These circulars not only revealed to the public some enlightening facts concerning sanitation in North Carolina, but also made suggestions for remedying certain unsanitary conditions.

Interest in sanitary matters on the part of the State Board always tended to stimulate the interest of local boards. In 1879 the New Hanover County Health Board made a sanitary survey of Wilmington. Sanitarians made a map of the city showing the undrained places, the location of sewers, the labyrinth of ditches in the eastern part of the city, and many other points that had some bearing on the sanitation of the city. This survey would have been of more value if those who had directed it had had adequate funds to carry out the measures they recommended; but the New Hanover board worked without pay, and the superintendent, who received a mere pittance, had to devote most of his time to the care

[47] *First Biennial Report* (1879-1880), pp. 3-4, 10-11, 57-134.

of paupers and thus had little time left for general sanitary conditions.[48]

The act of 1879 which reorganized the State Board of Health authorized the chemist of the State Experiment Station to serve also as chemist to the State Board of Health.[49] In order to carry out his work with the Board of Health, Doctor Albert P. Ledoux immediately made preparations for conducting chemical analyses of drinking water, and prepared instructions for sending samples to the Agricultural Experiment Station. From September 2, 1879, until September 29, 1880, fifty-seven samples of water were sent to Doctor Ledoux for analysis. Twenty-eight of these samples came from Wilmington.[50] As far as can be ascertained, nothing immediate resulted from the analyses made by the Experiment Station; within the next ten years, however, great progress was made by cities that attempted to establish purer water supplies. More and more, individuals applied to the secretary of the State Board of Health for permits to have the North Carolina Experiment Station analyze the water of wells, cisterns, and other sources of water supply. In 1892 samples of water from two cisterns in Wilmington which were suspected of being the source of three cases of typhoid fever were analyzed by H. B. Battle, director of the Agricultural Experiment Station. He reported that the water from the cisterns contained dangerous impurities and recommended that the cisterns be emptied, thoroughly cleaned, and disinfected, and that all leaks be stopped before the cisterns were used again.[51]

Interest in sanitary matters was greatly stimulated when the State Board of Health sponsored a sanitary convention in February, 1889. Invitations to attend the convention were sent to county superintendents of health and other officials intrusted with the supervision of the public health, to farmers, lawyers, doctors, ministers, civil and mining engineers, mayors of towns, chairmen and members of boards of county commissioners, superintendents of asylums for the insane and indigent, officers in charge of hospitals and penitentiaries, school teachers, railroad officials, and to "every citizen interested in the present and future health" of his community and home.

---

[48] *North Carolina Medical Journal*, V, 55 (January, 1880).
[49] *Laws of North Carolina* (1879), p. 218.
[50] *First Biennial Report* (1879-1880), pp. 18-20.
[51] *Fourth Biennial Report* (1892-1893), pp. 72-73.

The call or invitation to attend the sanitary convention stated that the purpose of the convention was to bring men of all professions together to talk about subjects of public and private sanitation, to interchange views, and to "begin in earnest the study of the living questions which concern healthy homes and healthy towns." Referring specifically to public health work, the invitation said:

> The interests of the public health of the State, while of necessity, at this stage of its development, intrusted to the medical profession, must be dependent for its vitality upon the interest the general public takes in it, for it is the cause of the people. A convention, therefore, of the representatives of the people, officials cognizant of the defects of the sanitation of our houses and towns and institutions, and private citizens who have been studying with interest, and practicing with all the lights they have, the minutiae of health laws, is a potent way of disseminating information and of studying our defects and the ways to remedy them.[52]

Doctor Julian M. Baker, superintendent of health of Edgecombe County and chairman of the sanitary convention's program committee, wrote to Doctor Kemp Plummer Battle, President of the University of North Carolina, asking him to come to the convention and give a paper on the subject, "Facts Concerning the Sanitaria of Chapel Hill," or some related topic.[53] Doctor Battle did not attend the convention, but sent instead Doctor Francis Preston Venable, professor of chemistry at the University, who read a paper on "The Necessity of State Intervention to Prevent Adulteration of Food and Drugs."

In his paper Professor Venable made an urgent appeal for state laws which would prevent the adulteration of food and drugs. He said that the purity of food and drugs ought to be a matter of paramount importance to all people, since it was a matter affecting both health and pocketbook. He lamented the fact that sanitary officers who were concerned about the air men breathed and the water they drank let those same men fall victims to poisons in foods and impure medicines. He said that North Carolina had the "proud privilege" of being one of the three states in the United States which did not have legislation against adulteration. Venable gave data to show the extent to which adulteration of foods was practiced. He did not condemn and criticize without offer-

---

[52] *Report of Proceedings of the First Annual Convention of the North Carolina Sanitary Convention* (1889), pp. 3-4.

[53] Doctor Julian M. Baker to Doctor K. P. Battle, January 4, 1889. MS in the North Carolina Room of the Library of the University of North Carolina, Chapel Hill.

ing suggestions for remedy, however. He said that the state ought to pass a law which would provide for the inspection and analysis of food and drugs and for the suitable punishment of offenders.

When Venable had finished reading his paper, Doctor Thomas Fanning Wood asked permission to speak. He told the convention that North Carolina had a law which provided that any one having an article of food suspected of containing impurities could have it examined at the expense of the state by sending it through the State Board of Health to the Agricultural Experiment Station. He said that there had been, however, only one application for examination in eight years, and that application had come from a whiskey distiller who wanted to know if the State Board of Health would permit the examination of whiskey, as he claimed he had the purest whiskey in North Carolina. The Board replied that it did not consider whiskey a food. Doctor Wood said that the people of North Carolina could be awakened from their lethargy only when they knew the extent of adulteration. He quoted some figures from a report which Venable had made to the State Board concerning some drugs which he had bought from different druggists and secretly analyzed. The analysis showed that "hardly any were pure." Doctor Wood commended Venable for his work and for his splendid paper, and said that he wished that everybody in North Carolina could hear what the chemist had said.

Doctor Henry T. Banhson's paper, "The Public Water Supply of Towns and Cities in North Carolina," was perhaps the most significant of the convention. This paper had been written for the purpose of pointing out imperfections in the water supplies of North Carolina towns. After discussing the two sanitary requirements of a public water supply—purity and quantity—Doctor Bahnson described the public water supplies of twelve leading North Carolina towns, attempting to show to what extent the sanitary requirements were fulfilled in those towns. As a model for comparison, he described the water supply of the Western North Carolina Insane Asylum. He said that of the cities, Asheville more nearly approached the model, with Durham and Greensboro next on the list. Winston, Salem, Salisbury, Charlotte, and Wilmington he placed on the doubtful list, saying: "Without legislation they are powerless to protect their water supply." Doctor Bahn-

son offered suggestions and remedies. He said that individual effort was not the answer to the problem; the answer was good sanitary laws, with health officers with authority to enforce those laws.

Doctor Bahnson's paper was received with enthusiasm by the members of the convention. Doctor Richard H. Lewis said that he considered the question of pure water of such importance that he moved that the convention have Doctor Bahnson's "admirable paper" published in pamphlet form for distribution among the public. "Should the funds in hand not be sufficient, I will cheerfully subscribe to have this done," he said.

Among the high lights of the sanitary convention was the address of welcome by Governor Daniel G. Fowle, who commended the purpose of the convention and then talked at length about the sanitary convention which the governor of Alabama had called for the purpose of adopting certain quarantine regulations for the "benefit and protection of the Southern States." Governor Fowle said that he had already appointed a committee to represent North Carolina at Montgomery, but that if this convention would designate certain other men to represent the state, then he, as the state's chief executive, would issue a commission to every man designated as accredited representatives, even if fifty should be named.[54]

From the standpoint of numbers, the sanitary convention was not all that was desired, for only a small group attended. It did, however, represent many counties and cities and nearly every important institution of learning; and it stimulated a great deal of interest in problems of sanitation. Localities again seemed to feel more keenly their own special problems. The next year Wilmington conducted another sanitary survey which recommended a sewerage system for the city.[55]

The duties of the State Board of Health in connection with sanitary conditions reached into many fields of activities. Its health officers served as combination public physicians and sanitary inspectors. Among the duties of the county superintendents of health was the sanitary inspection of jails, poorhouses, workhouses, and other public buildings. The reports on the sanitation of these institutions often revealed that the inmates were living and dying in deplorable conditions. Speak-

[54] *Report of Proceedings of the First Annual Convention of the North Carolina Sanitary Association* (1889), p. 7.
[55] *Third Biennial Report* (1889-1890), p. 19.

ing to the members of the State Medical Society in 1887, Doctor Henry T. Bahnson told of a visit which he had made to a jail just a short time earlier. In describing this jail, he said:

> Inside an encircling brick wall, pierced by two small windows, was an iron cage, twelve feet square and twelve feet high; the cage was divided by one iron floor into two stories; each of them was sub-divided into two cells and a passage-way. After my eyes had become accustomed to the dim light, I counted twenty-four human beings huddled in these confined quarters. They were clothed in rags, and a few tattered pieces of blankets and sacks constituted their bedding. Many of these poor wretches had laid there for many months awaiting trial for petty offenses. The place was reeking with filth, and the stench was beyond description. Every sanitary necessity was absent.[56]

The State Board of Health set out to improve the conditions of the jails and poorhouses. According to a statement made by Doctor Wood, publicity through the newspapers and the *Bulletin* of the North Carolina Board of Health caused new buildings to be erected and old ones to be cleaned up.[57] In March, 1890, the secretary of the State Board of Health sent out a letter to each county superintendent of health, asking him to report on the improvements that had been made in the jails and poorhouses in his respective county since the organization of a county board of health in that county. The reports, sent in response to the State Board's request, show that between the time of the first reports from the counties and April, 1890, great improvements had been made in the sanitary conditions of these institutions. In the sixty-six counties reporting, there had been built twelve new jails, most of them brick structures with modern improved equipment; ten new poorhouses; and five hospitals at poorhouses for the sick and insane. Twenty-six counties had repaired, added to, and renovated jails and poorhouses; and nearly every county reported that greater attention was being given to cleanliness and general sanitary conditions.[58]

The State Board of Health as the sanitary inspector of state institutions performed a valuable service. In 1885 a committee appointed by the State Health Board made a sanitary survey of all of the prison camps under the direction of the State Penitentiary. This committee gave a detailed account of the condition of these camps and made suggestions for promoting

---

[56] *Transactions* (1887), p. 79.
[57] *Fourth Biennial Report* (1891-1892), p. 11.
[58] *Third Biennial Report* (1889-1890), pp. 86-92.

the health and working activities of the convicts.[59] It is interesting to note the report of another sanitary inspection of the prison camps, made ten years later by J. C. Chase, engineer of the Board of Health. According to this latter report, the convict camps were in good condition and "faithfully cared for." The privies received careful and systematic attention each day and were kept in better condition than those in any other state institution. At Castle Hayne he found a very much larger percentage of sick than at the other camps, but they were largely malarial cases which he believed were caused from the large amount of excavating going on. For this camp he advised the construction of cisterns in order to provide a supply of drinking water. He reported that Caledonia had done a great deal of ditching and draining of swamps which had "resulted in a great improvement in the health of the convicts."[60]

From the beginning the State Board of Health recognized the fact that the most important phase of public health service is health education. In an effort to impart information concerning matters of health and sanitation to individuals, the State Board of Health began to issue pamphlets for free distribution to the public. These important educational activities began in the first year of the Board's existence, with the publication of the Board's *first pamphlet—Timely Aid For the Drowned and Suffocating.*[61] Other pamphlets issued were: *Ex-Vaccination Advice from the North Carolina Board of Health of the Necessity of Vaccination; The Tests of Genuine Vaccination; and The Quality of Vaccine (1892)*;[62] *The Care of the Eyes and Ears in Children* (1886);[63] and *A Guide to Shipmasters Visiting the Cape Fear River.*[64]

In April, 1886, the State Board of Health began to publish a monthly bulletin, the first such publication by any state board of health in the United States. The first *Bulletin* contained reports from twenty-six counties, and reports from six other counties reached the secretary too late to be included. The purpose of the *Bulletin* was to show monthly, by tables compiled from the county reports, conditions of the weather, prevailing diseases,

---

[59] *Biennial Report of the Board of Health* (1887), pp. 42-43. This inspection was made in accordance with Section 3 of the 1893 health law.

[60] *Fifth Biennial Report* (1893-1894), p. 114.

[61] *First Biennial Report* (1879-1880), pp. 57-69.

[62] *Transactions* (1882), pp. 32-40.

[63] This pamphlet, in its original form, was a paper read by Doctor Richard H. Lewis before the North Carolina Medical Society at its annual meeting at New Bern in 1886. The paper included some excellent suggestions for the proper lighting of school houses. Doctor John McDonald moved that the Board of Health have twenty thousand copies of the paper printed in pamphlet form for distribution throughout the state. This was done.

[64] *Transactions* (1882), pp. 41-45.

epidemics, diseases of domestic animals, and the public charitable and penal institutions. The reports on the conditions of jails and poorhouses included a report of the number of prisoners or inmates confined, the space allotted each, the number giving evidence of successful vaccination, the kind and amount of food served, the kind of clothing worn, and the number who could read and write, along with a report on general sanitary conditions.[65] In addition to the reports which appeared monthly in the *Bulletin,* editorials and essays were published to inspire and encourage physicians and to instruct the people in matters of hygiene. These essays and editorials often were sent to different newspapers in the state for publication.

The monthly *Bulletin* was sent to state and county officials, to health organizations and public libraries, to the members of the State Medical Society, to all physicians desiring it, to the health officers and mayors of cities and towns, to the chairmen of all boards of county commissioners, and to every citizen who asked for it.[66] The *Bulletin* was the voice which spoke for the State Board of Health. Commenting on the part which the *Bulletin* had to play, Doctor J. W. Jones, president of the Board, said to the North Carolina Medical Society at its meeting in 1886:

> The first issue of the "Bulletin" of the North Carolina Board of Health is before you. We consider it a necessity to the successful work of the Board and the best means of getting and giving information. It is a medium of communication with our Governors [,] Legislature, the people, the doctors and sanitary workers all over the world. It will go out as a monthly messenger of glad tidings, with healing in its wings, with words of truth and notes of cheer, or sounds of alarm if danger comes nigh.[67]

For several years the monthly *Bulletin* was prepared by Doctor Thomas Fanning Wood in his own private office in Wilmington. He alone decided what material should be printed in the *Bulletin.* Miss Jane Wood has told of how she and her two small brothers helped their father by wrapping and mailing the *Bulletin.* She writes: "We grew to be very proud of the part we had in making good health a part of the state's task."[68]

By 1893 the monthly health *Bulletin* had become something of an indicator of the progress being made in public health work. From the beginning, the success of the work had depended on

---

[65] North Carolina Board of Health *Bulletin,* I, 10-15 (April, 1886).
[66] *Fifth Biennial Report* (1893-1894), p. 137.
[67] *Transactions* (1886), p. 30.
[68] Miss Jane Wood to the author, July 11, 1941.

the reports which the county superintendents sent in each month. A single report did not reveal very much, but a number of them studied comparatively presented a picture of health conditions. At first the county superintendents were negligent in making their reports, but in December, 1893, eighty-eight of the ninety-six counties of the state reported. Seven counties had no board of health, thus only one county superintendent failed to report. Perquimans County did not report because the superintendent of health had died in November, 1893, and his place had not been filled.[69]

According to law the State Board of Health was required to make a report of its work to each session of the General Assembly. These biennial reports stated fully and clearly the purpose and work of the Board. Since they were published with the other state papers, they were available to the public and thus served to educate the people to the importance of health and sanitary science. When the General Assembly saw the importance of the biennial reports, it passed a resolution ordering a great number of them printed at the expense of the state for general distribution. The State Board of Health was authorized to distribute these reports at its discretion. In 1887 the General Assembly ordered five hundred copies of the *Report* and ten thousand copies of the "Appendix" printed and distributed.[70]

Another service which the State Board of Health attempted to render was the collecting of vital statistics. Soon after the Board was organized, local boards of health attempted to work out systems by which vital statistics could be collected and registered. Doctor A. E. Wright, superintendent of health in Wilmington, influenced the city board of aldermen to pass an ordinance pertaining to the collecting of vital statistics. The ordinance forbade the keepers of cemeteries to permit any interment without a certificate from the attending physician. If a person died without an attending physician, the superintendent of health had to furnish a death certificate before the burial could take place. These death certificates were turned over each month to the superintendent of health, who kept a record of all deaths within the city, showing the cause of death, the age of the victim, and the date of the death.[71]

All systems for collecting vital statistics by the State Board

---

[69] North Carolina Board of Health *Bulletin,* VIII, p. 109, (December, 1893).
[70] Unpublished Legislative Papers, 1887. State Department of Archives and History, Raleigh.
[71] *Daily Review* (Wilmington), January 5, 1878.

of Health proved inefficient. For a long time Wilmington was the only town that made mortuary reports. In 1886 the *Bulletin* published mortality returns for four towns—Wilmington, Charlotte, Asheville, and Fayetteville. In December Raleigh was added to the list. By December, 1888, there were fourteen towns reporting, but even these reports were not received regularly each month. The basis of many of these reports was the certificates from the keepers of cemeteries. These certificates were not accurate because of the irregular burial of Negroes and because many whites went out of the cities to bury their dead in order to escape the burial taxes which the cities often imposed. Another source of inaccuracy was the diagnosis of the causes of deaths. Doctors often merely stated the last cause of death. For instance, a doctor would report that a person died from pneumonia, when perhaps such a person had been ill with measles for two weeks.[72]

Doctor Wood said that it was practically impossible to get accurate mortuary returns from the rural sections, but that if the towns could be depended on to send accurate reports the State Board of Health would have reliable samples of health conditions in all sections of the state. Doctor Wood wrote to the mayor of each town in the state having a population of one thousand or more and begged for his coöperation. He urged all mayors and physicians to have their city or town councils pass ordinances that would make mandatory the registration of each death that occurred in the town. He believed that registration should be done by a paid official, a part of whose duty it should be to forward each month to the State Board of Health a copy of all registrations for the preceding month, the registration including the name, age, sex, race, and time and cause of death.[73] The North Carolina Board of Health *Bulletin* for November, 1891, included the following comment on the laxity of the towns in collecting vital statistics:

> When reports are received from towns only spasmodically, they are practically of little value, for a true estimate of the healthfulness of a place cannot be based on a death rate calculated from a report that omits three or four months in the year, and these, probably the months of greatest mortality. And to be of the greatest value, it must be apparent that means are adopted to enforce the registration of every death that occurs

[72] *Second Biennial Report* (1887-1888), p. 3.
[73] *Fourth Biennial Report* (1891-1892), p. 52.

within the corporate limits of the town, and the population should be definitely ascertained, and not guessed at.[74]

The reports which were sent to the State Board of Health gave a general idea of the distribution of various diseases, their relative prevalence during different seasons, the causes of death in the different localities, and the annual death rate. They also showed the comparative death rate among whites and Negroes. In August, 1893, twenty-seven towns reported two hundred thirty deaths with typhoid fever responsible for twenty-six deaths. The twenty-seven towns reporting represented an aggregate population of 132,124. The 230 deaths represented an annual death rate of 20.9 per thousand—whites, 15.0, Negroes, 27.8 per thousand. The causes of diseases were: unclassified, 75; diarrheal diseases, 46; typhoid fever, 26; consumption, 23; heart diseases, 20; malaria, 14; brain diseases, 11; neurotic diseases, 5; whooping cough, 4; accidents and violence, 4; diphtheria, 1; and pneumonia, 1. Of these deaths 89 were those of children under 5 years of age.[75] On the whole, with the exception of malaria which was more prevalent in the eastern counties, and typhoid fever, which was more prevalent in the west, the diseases were quite evenly scattered over the whole state.[76] The reports also showed that the death rate among the Negroes was much higher than among the white population.[77]

The act which provided for a reorganization of the State Board of Health in 1879 made provision for vaccinating certain classes of persons for smallpox, and thus established the principle of vaccination.[78] The law, however, did not make vaccination compulsory, and was therefore ineffective. The average person in North Carolina at that time was superstitious and afraid of the vaccine virus; consequently, before any real accomplishment could be made in this direction, the Board of Health had to educate the people as to the value of vaccination. As a first step a pamphlet on vaccination was issued and reprinted in some of the leading newspapers in the state. Copies of this pamphlet were sent to the Superintendent of Public Instruction, who distributed them to the schools.[79]

Doctors who attempted to vaccinate the children in the public schools often encountered much opposition. Doctor H. W. Lewis,

---

[74] North Carolina Board of Health *Bulletin*, VI, pp. 97-98, (November, 1891).
[75] North Carolina Board of Health *Bulletin*, VIII, p. 57, (August, 1893).
[76] *Fifth Biennial Report* (1893-1894), p. 90.
[77] *Fourth Biennial Report* (1891-1892), p. 35.
[78] *Laws of North Carolina* (1879), p. 217.
[79] *Third Biennial Report* (1889-1890), p. 65.

of Northampton County, has related his experience in trying to vaccinate the pupils in one school. He put up a notice that he would visit the school at a certain time in order to vaccinate all who desired vaccination. When he reached the school, he was surprised to find the building empty. The teacher and the pupils had all taken to the woods.[80]

On the other hand, Doctor F. W. Potter, superintendent of health for New Hanover County, told of more successful experiences. He, at intervals, would secure large quantities of vaccine virus from the secretary of the State Board, go to the schools, explain the importance of vaccination, and then vaccinate all who were willing to be vaccinated. In one school of two hundred, he vaccinated everyone who had not been vaccinated previously. He made it a practice to travel throughout the county every spring and vaccinate all who desired vaccination.[81] Doctor Potter's policy is illustrative of the method which the Board of Health tried to follow in carrying on its work. First the individual had to be convinced of the necessity of what was being done, and then he was usually willing to coöperate.

The county superintendents of health were responsible for vaccinating the inmates of jails, poorhouses, workhouses, and other public institutions in the counties. Statistics from thirty-six counties in 1891 show, however, that vaccination was by no means one hundred per cent even in the jails and poorhouses. In three counties all were vaccinated, in one county fifteen out of twenty, in one county six out of twelve, and in twenty-five counties there were no vaccinations. In the thirty-six counties there were eight hundred sixty-four inmates of the poorhouses and jails, of whom only one hundred four had been vaccinated, less than thirteen per cent.[82]

During the first sixteen years of the existence of the North Carolina Board of Health, the cause of public hygiene in North Carolina made great progress. Interest in health and sanitation, both on the part of the members of the medical profession and of the people in general, increased markedly. Although denied necessary executive authority, and certainly without adequate funds, the State Board of Health did positive good. Examples of the activities of the Board indicate that lives were saved and sicknesses prevented. A family in Wilmington had suffered

---

[80] *Fourth Biennial Report* (1891-1892), p. 25.
[81] *Fourth Biennial Report* (1891-1892), p. 25.
[82] *Fourth Biennial Report* (1891-1892), p. 23.

from chronic illness for a long time, and the sickly condition of the children caused the parents much worry. The house and surroundings were thoroughly cleaned in an attempt to abate the sickness. Finally the State Board of Health was asked to investigate. An analysis of the heretofore unsuspected drinking water revealed that foul impurities from a neighboring privy had leeched into the water. The well was abandoned and the health of the family became better. This circumstance, according to the *Report* of the Board, attracted the attention of others to their water supplies, and "inquiries came to the Board from many directions."[83]

A similar story is told of an epidemic of typhoid fever which occurred in Vance County in one of the public schools. There were more than ten cases of typhoid in a school with an enrollment of about twenty-eight pupils. Doctor William R. Wilson, physician and sanitarian of Townsville, made a vigorous search in the several homes of the pupils in an attempt to find a possible cause for the epidemic. Finally he carried the epidemic to the school premises. There he learned that many of the pupils had suffered during the year from diarrhea, dysentery, and other ailments, and that the session had been unprofitable to scholars and teacher alike. An examination of the school surroundings disclosed a contaminated spring as the source of contagion. The nuisance was abated, a new supply of water secured, and the epidemic stopped.[84]

An epidemic of typhoid fever in Craven County brought about an investigation. The doctor whom the State Board of Health sent out to investigate the epidemic discovered that out of a population of one hundred fifty in one community thirty-six had been afflicted with typhoid and thirteen had died. The investigation revealed that no regard had been given to sanitary rules, as patient, family, and visitors had drunk out of the same dipper and had used water from the same well. Soiled clothes had been left in the sick room for a long time, and when removed had been washed at a well which supplied the neighborhood with drinking water.[85]

During the winter of 1887 there were rumors that a case of yellow fever had made its way through the port of Key West

---

[83] *First Biennial Report* (1879-1880), pp. 13-14.

[84] Dr. J. L. Tucker, "The Duties and Responsibilities of County Superintendents of Health," *Report of Proceedings of the First Annual Convention of the North Carolina Sanitary Association*, p. lvi.

[85] *Fifth Biennial Report* (1893-1894), pp. 64-65.

into Florida. The following spring cases occurred in Jacksonville, and wild panic began to spread all over the country. Men, women, and children took to the road in an attempt to flee from the scourge, only to find themselves detained or refused admittance to towns or cities in other regions. Many of the people who fled sought refuge in the high, cool mountain regions of North Carolina. The State Board of Health, having decided that this was not a question of mere local concern, wired the authorities of the towns which had agreed to admit the refugees from Florida and asked them to see that the refugees, on arrival, should be paroled not to leave for a period of ten days. They were to be kept under surveillance in order to prevent their going into towns where their presence was not desired. Two hundred and sixty persons actually arrived in Hendersonville. Two of these persons from Hendersonville flouted the restrictions which had been prescribed and went to Wilmington. The State Board of Health decided that the time for it to act had come. The Board said that there should be no further admission of refugees in the state unless they could be properly cared for. Colonization of refugees could take place only with the approval of the State Board, and in accordance with strict rules specified by it.[86] Without legal authority, the Board had met the emergency with ease and ability and had demonstrated to the people of North Carolina the value of an efficient Board of Health.

In the years between 1877 and 1893 the State Board of Health grew from a board which had little more than nominal authority into one of considerable power and significance. During these pioneer years it placed health work in North Carolina on a firm foundation, and the people of North Carolina began to appreciate this work and desire its continuation. The act passed by the legislature in 1893, which greatly implemented the Board's authority, was in part an expression of public appreciation. In the early years of its existence, the Board, with very little money, undertook to collect and register vital statistics; it took measures to protect drinking water from contamination, and began to make bacteriological examinations of public water supplies; and, in coöperation with the county boards of health, it worked unceasingly for improved sanitary conditions. Although the legislature and the public generally refused to accept the principle of compulsory vaccination, the Board continued to preach the importance of vaccination. Inmates of jails, poor-

[86] *Second Biennial Report* (1887-1888), p. 18, pp. 10 ff.

houses, workhouses, and certain other public institutions, as well as every one else who would submit to vaccination, were vaccinated at public expense. As a further means of preventing the spread of diseases, health officials in the counties enforced a strict quarantine of contagious diseases, and abated all existing nuisances. The State Board of Health, with its subsidiary county boards of health, kept a close watch over the health and sanitation of the people of the state. On receiving word that typhoid fever, diphtheria, smallpox, cholera, or yellow fever had broken out in a community, the Board immediately got in touch with the local health officials. If the situation seemed to warrant it, a member of the Board was sent to the reported community to investigate the cause of the disease and to take measures to prevent its spreading.

Much of the work of the State Board of Health during the early years was aimed at disease prevention and control; there were, however, in its services the rudiments of a much broader program. Very early there was a trend toward hygienic and sanitary education. Perhaps the greatest work of the Board during its pioneer period was its educational activities, which began in 1877 with the publication of the Board's first pamphlet—*Timely Aid for the Drowned and Suffocated.* The appearance of the first issue of the North Carolina Board of Health *Bulletin* in 1886 was an important step forward in its educational program.

By 1893 the State Board of Health was established as a permanent agency. An office had been established in Raleigh for its secretary and furniture and supplies had been bought for the office. The secretary was receiving an annual salary of one thousand dollars. The Board had become affiliated with other organizations which worked for better health and sanitation. In 1893 representatives from the North Carolina Board attended the annual conference of state boards of health, the Pan-American Medical Congress, and the International Congress of Public Health.[87]

The activities and services which the State Board of Health rendered had become specialized by 1893, and the specialization was to increase each year that passed. Already its services were divided into the following divisions: Epidemics, with its sub-

[87] *Fifth Biennial Report* (1893-1894), pp. 157-159.

division, Water Supply and Drainage; Hygienics of Public Schools; Climatology; Adulteration of Food and Medicines; Sanitary Conditions of State Institutions; and Vital Statistics.[88] A special committee was appointed for each of these divisions. The special divisions are indicative of certain trends in the development of the State Board of Health, and even in 1893 were prophetic of what the Board was to become.

---

[88] *Fifth Biennial Report* (1893-1894), p. 2.

THE SOUTHERN REFUTATION OF THE PROSLAVERY ARGUMENT

By Kenneth M. Stampp

The early years of the nineteenth century saw the development of a flourishing antislavery movement in the upper South. Its impulse sprang from the tenets of Jeffersonian liberalism, from the venerable feud between tidewater and back country, and from numerous bodies of Southern Quakers.[1] By the 1830's, however, the movement had apparently spent itself, and, after the defeat of the antislavery men in the Virginia legislature of 1832, it entered upon a period of progressive decline. The organized opposition within the South was soon submerged by the forces of aggressive proslaveryism and by the exigencies of the sectional controversy.

In 1832 Thomas R. Dew, replying to the Virginia emancipationists, formulated his defense of the slave system which gave vigorous expression to views already commanding the respect of numerous Southerners. Assuming the inferiority of the Negro race, Dew could contend that slavery was "the order of nature and of God." From his study of history he concluded that in all great civilizations of antiquity the masses were not freemen, but slaves. From his observations of the workings of the slave system in the South he asserted that the institution was a positive benefit to the blacks, for it exposed them to the advantages of white civilization. To the contention that slave labor was unproductive Dew replied with the simple observation that slavery existed. If it had not been profitable, it would have been abolished. Above all Dew insisted that slavery benefited the Southern nonslaveholders by producing equality among the whites and by fostering a truly democratic society. Since, in the South, all menial labor was performed by slaves, *color* became the true badge of aristocracy.[2] Other logicians followed in Dew's wake and advanced his theses to a point approaching syllo-

[1] Compare A. D. Adams, *The Neglected Period of Anti-Slavery in America, 1808-1832* (Boston, 1908); Clement Eaton, *Freedom of Thought in the Old South* (Durham, North Carolina, 1940); J. C. Robert, *The Road from Monticello: A Study of the Virginia Slavery Debate of 1832, Historical Papers of the Trinity College Historical Society*, Series XXIV (Durham, North Carolina, 1941); T. M. Whitfield, *Slavery Agitation in Virginia, 1829-1832* (Baltimore, 1930); S. B. Weeks, "Anti-Slavery Sentiment in the South," *Southern Historical Association Publications*, II; S. B. Weeks, *Southern Quakers and Slavery* (Baltimore, 1896).

[2] Thomas R. Dew, *Review of the Debate in the Virginia Legislature of 1831 and 1832* (Richmond, 1832). For an excellent account of the development of the proslavery argument see W. S. Jenkins, *Pro-Slavery Thought in the Old South* (Chapel Hill, 1935).

gistic perfection. Thereafter the proslavery argument largely dominated the Southern mind in its approach to the problem of slavery.

Yet even after Dew's postulates attained almost axiomatic acceptance from slaveholders, a few dissenters survived in the South and persisted in challenging the premises of proslavery thinkers. Here and there a restless mind—Henry Ruffner, Cassius M. Clay, D. R. Goodloe, and Hinton R. Helper—refused to conform to the Southern pattern; occasionally an obstreperous editor raised the standard of revolt. Islands of discontent still survived among North Carolina Quakers, in the mountains of East Tennessee, among the yeoman farmers of western Virginia, and in the upper tier of slave states. There were just enough of these nonconformists to give the lie to J. D. B. DeBow's contention that the South had achieved complete social unity.[3]

Thus while proslavery writers were citing the wisdom of classical pundits, Biblical authority, historical experience and empirical logic to bolster their defense, a coterie of Southern dissenters were compiling evidence for a clear-cut refutation and a positive antislavery argument. Through the reasoning of each ran a series of common precepts and similar observations which gave unity to their cause and an explicit, coherent reply to the contentions of their foes. For many of their arguments they borrowed heavily from those formulated by the antislavery leaders of an earlier period, especially from the Virginia emancipationists of 1832.

In contrast with the basically moral issue raised by Northern abolitionists, whether professional reformers or politicians, the Southern antislavery argument was primarily an appeal to economic expediency. Here there was no call for immediate abolition on moral grounds; indeed there was but slight interest in the future of the Negro. It was the effect of slavery upon the whites that most concerned the Southern dissidents. Looking with admiration to the agricultural economy of the Ohio Valley and the Northwest, they attributed the Southern small farmer's comparative lack of progress to the institution of slavery. True they often manipulated facts to fit their purpose, or evinced a convenient lack of insight into economic principles, but it is doubtful whether their antagonists ever judged their arguments from the standpoint of the validity

[3] This contention is the essence of DeBow's pamphlet *The Interest in Slavery of the Southern Non-Slaveholder* (Charleston, South Carolina, 1860).

of the statistics they quoted. Helper's statistics were full of flaws, but his excoriation by slaveholders is better explained by the degree to which he penetrated their protective armor.[4]

Conspicuous in the indictment of slavery by the Southern dissenters was the charge that it was a wasteful labor system which ruined the land by encouraging careless and unscientific agricultural methods. Only the abolition of slavery, they contended, could save the South from again becoming a barren wilderness. "Slavery has poluted and impoverished your lands," declared Helper, "freedom will restore them to their virgin purity, . . . Correctly speaking, emancipation will cost you nothing; the moment you abolish slavery, that very moment the putative value of the slave becomes actual value in the soil."[5] Cassius Clay pointed to the poorly farmed and wasted lands that existed in the most fertile parts of Kentucky, and attributed that condition to slave labor. "Ignorance and carelessness," Clay concluded, "make his the most slovenly and wasteful of all labor."[6] "Old Virginia," wrote Henry Ruffner, "was the first to sow this land of ours with slavery; she is also the first to reap the full harvest of destruction. Her lowland neighbors of Maryland and the Carolinas, were not far behind in the seeding; nor are they far behind at the ingathering of desolation."[7] This Virginia critic found little to commend in the agricultural methods of Southern planters:

> Agriculture in the slave States may be characterized in general by two epithets—*extensive*—*exhaustive*—which in all agricultural countries forbode two things—*impoverishment*—*depopulation*. The general system of slaveholding farmers, in all times and places, has been, and now is, and ever will be, to cultivate much land, badly, for present gain—in short to kill the goose that lays the golden egg.[8]

W. H. Hulbert of South Carolina observed that slavery, besides demanding a continual supply of new and unexhausted soil, prevented the development of agricultural science. Since the capital of slaveholders was invested in the laborers themselves, they could not afford the tools and equipment needed for the practice of scientific agriculture. The planter "must depend for his continued and progressive prosperity upon

---

[4] Hinton R. Helper, *The Impending Crisis of the South, and How to Meet It* (New York, 1857).
[5] Helper, *Impending Crisis*, p. 129.
[6] Speech delivered in the Kentucky House of Representatives, January, 1841, quoted in Horace Greeley, *The Writings of Cassius M. Clay* (New York, 1848), p. 74.
[7] Henry Ruffner, *Address to the People of West Virginia* (Lexington, Virginia, 1847), p. 14.
[8] Quoted in Louisville *Examiner*, November 11, 1847.

the cheapness and facility with which he can transfer his slaves to fresh and fertile lands."[9] "Our slave States are to be placed on the list of decaying communities," was the acrid observation of James G. Birney of Kentucky. "To a philosophic observer, they seem to be falling back on the scale of civilization. Even at the present point of retrogression, the course of civilization and human improvement would lose nothing by their annihilation."[10]

To demonstrate the baleful effects of slave labor upon agriculture and the relatively greater prosperity of Northern farmers these Southern critics were fond of comparing land values in the two sections. Helper observed pointedly that the average value of an acre of land in the North was $28.07, while in the South it was $5.34.[11] To the slaveholders' claim that cotton was King Cassius Clay countered with the contention that "so far from Cotton being King, Grass is King. There are nine articles of staple production which are larger than that of cotton in this country."[12] "I assert from my own knowledge," Clay added, "that lands of the same quality in the free, are from a hundred to a hundred and fifty per cent higher in value than in the slave states. . . . Lands six miles from Cincinnati in Ohio, I am credibly informed, are worth sixty dollars per acre, whilst in Kentucky, the same distance from that city, and of the same quality, they are worth only ten dollars per acre!"[13] Similarly a farmer from Sussex County, Virginia, complained bitterly of the decreasing value of land in that region. "Not far hence," he related, "is a tract of 1,400 acres, well timbered which twenty years ago, brought from $18 to $20 an acre. It was sold five years ago for $6 or $7! The people are not blind to these things. Nobody denies that slavery is at the bottom of the mischief."[14]

From this it followed that the value of Southern land would not increase until agriculture was made more profitable. And the experience of Northern farmers with free labor allegedly proved that the abolition of slavery was essential to that result. If slavery made agriculture lucrative and attractive, asked Goodloe, "why did it perish in the Northern States? It was not because the people there had originally any more repugnance to it than those at the South. It was simply, as every-

[9] Quoted in Helper, *Impending Crisis*, p. 229.
[10] Quoted in Helper, *Impending Crisis*, p. 214.
[11] Helper, *Impending Crisis*, p. 124.
[12] Quoted in Helper, *Impending Crisis*, p. 207.
[13] Greeley, *Writings of Cassius M. Clay*, p. 178.
[14] Louisville *Examiner*, July 3, 1847.

one knows, that slaves were unprofitable. The same cause is now driving slavery out of Maryland, Virginia, and the Carolinas—it has become unprofitable and burdensome to the people."[15] Ruffner claimed that the farmers of the middle states, with their free labor, produced twice as great a value per worker, as did the farmers of the old slave states. "Therefore, since in agriculture, slave labor is proved to be far less productive than free labor, slavery is demonstrated to be not only unprofitable, but deeply injurious to the public prosperity."[16] Helper, comparing the progress of the North and South, found the one "rising to a degree of almost unexampled power and eminence, and the other sinking into a state of comparative imbecility and obscurity."[17]

Furbishing this appeal to Southern agrarian interests was a dire warning to the nonslaveholders that the great planters might ultimately force them into a position equal or inferior to that of the slaves. Their lands would be taken from them and they would sink in complete subservience to the power of the slavocracy. The antislavery Louisville *Examiner* cited the condition of the South Carolina Sandhillers to illustrate "the effect of slavery in its extreme, or when pushed to its farthest limit."[18] Repeatedly, during its brief existence, the *Examiner* cautioned the nonslaveholders that their future hinged upon the abolition of slavery. "They never can be, as a class, what they should be without it. . . . Slavery is the doom of the free worker, and darkens all his hopes. . . . There is no interest, then, . . . which does not appeal to nonslaveholders against slavery."[19] In 1847 a Missouri pamphleteer sought to demonstrate that all the best lands in the South tended to fall into the hands of the slaveholders:

> This state of things is a great drawback, and bears heavily upon and depresses the moral energies of the poorer classes. . . . The acquisition of a respectable position in the scale of wealth appears so difficult, that they decline the hopeless pursuit, and many of them settle down into habits of idleness, and become the almost passive subjects of all its consequences. And I lament to say that I have observed of late years that an evident deterioration is taking place in this part of the population, the younger portion of it being less educated, less industrious, and in every point of view less respectable, than their ancestors.[20]

---

[15] D. R. Goodloe, *The South and the North* (Washington, 1849), p. 26.
[16] Ruffner, *Address to the People of West Virginia,* p. 20.
[17] Helper, *Impending Crisis,* pp. 11-12.
[18] Louisville *Examiner,* July 24, 1847.
[19] Louisville *Examiner,* July 17, 1847.
[20] M. Tarver, *Domestic Manufactures in the South and West,* quoted in G. M. Weston, *The Poor Whites of the South* (Washington, 1856), p. 2.

The essence of Helper's *Impending Crisis* was an exhortation to the non-slaveholders to save themselves and to "rescue the generous soil of the South from the usurped and desolating control" of the slaveholders. Helper professed a great fear for the future of white farmers and workers in the South. "The more we investigate the subject," he wrote, "the more fully we are convinced that nothing but the speedy and utter annihilation of slavery from the entire nation, can save the masses of white people in the Southern States from ultimately falling to a political level with the blacks—both occupying the most abject and galling condition of servitude of which it is possible of the human mind to conceive." Whereupon he admonished, "will you be freemen or will you be slaves?"[21]

With equal zeal the Southern dissenters addressed the industrial and commercial interests of their section. Indeed some of them were themselves advocates of Southern industrialization and contended that slavery alone impeded progress along those lines. The introduction of a free labor system, they predicted, would stimulate the exploitation of the South's abundant resources and enable its people to free themselves from their dependence upon the North for manufactured goods. Cassius Clay, champion of an industrialized Kentucky, laid particular stress upon this point. He had little patience for those who spoke disparagingly of the energetic "Yankees."[22] To the local lawyers, merchants, mechanics, and laborers he observed that their customers were never slaves. As the small farmers were bought out by the slaveholders, the former would leave the state; and the mechanics and laborers would have to follow, for "a town cannot outlive its customers. . . . But under the free labor system the towns would grow and furnish a home market to the farmers, which in turn would employ more labor; which would consume the manufactures of the towns; and we could then find our business continually increasing."[23] Nor, without manufacturing, could the South hope to develop its own commerce:

> In vain do the slaveholders go to Knoxville, to Nashville, to Memphis and to Charleston, and resolve that they will have nothing to do with these abolition eighteen millions of Northern people; that they will build their own vessels, manufacture their own goods, ship their own products to foreign countries, and break down New York, Philadelphia and Boston!

---

[21] Helper, *Impending Crisis*, pp. 120-121, 239.
[22] Greeley, *Writings of Cassius M. Clay*, pp. 58-76.
[23] Lexington, Kentucky, *True American*, June 10, 1845.

Again they resolve and resolve, and yet there is not a single ton more shipped and not a single article added to the wealth of the South. But . . . they never invite such men as I am to attend their conventions. They know that I would tell them that slavery is the cause of their poverty . . .[24]

In Virginia Henry Ruffner reached similar conclusions and asserted that the number of artisans and mechanics in various parts of the South stood in inverse ratio to the number of slaves. Thus, he concluded, the industrial backwardness of the South "can be attributed only to slavery, which paralizes our energies, disperses our population, and keeps us few and poor, in spite of the bountiful gifts of nature which a benign Providence has endowed." Comparing the economic progress of Virginia with that of several Northern states whose resources were inferior, Ruffner painted a most unfavorable picture for his friends in the western part of the state.[25]

Goodloe professed to have found that wherever the commercial classes prospered in the South they encouraged the development of free labor. "They build better houses, live in the villages and towns, and thus make a market for what the poor man produces. . . . In this way freedom is slowly and quietly asserting its power to reclaim the wilderness which slavery has made. The plantations have been impoverished and deserted. The towns are beginning to rise upon their ruins, and to form around them a nucleus, of improved agriculture, as well as of arts and civilization."[26] Helper found special significance in the commercial decline of Charleston and declared that it "like all other *niggervilles* . . . is sick and impoverished. . . . Her annual importations are actually less now than they were a century ago, when South Carolina was the second commercial province on the continent, Virginia being the first."[27]

An added deterrent to the building of an industrialized South, according to these critics, was the fact that slavery prevented the essential accumulations of capital and population. The slave system, they contended, compelled the South to invest all of its available capital in its labor supply, leaving little for factories and machines. Goodloe was enthusiastic about the possibilities for Southern industrialization, "but the fact that slavery absorbs the great bulk of Southern capital must always present an obstacle to Southern operations. So

---

[24] Quoted in Helper, *Impending Crisis*, p. 207.
[25] Ruffner, *Address to the People of West Virginia*, pp. 24-28.
[26] Goodloe, *The South and the North*, p. 21.
[27] Helper, *Impending Crisis*, pp. 18-19.

it is with commerce and all other interests. They all exhibit a dwarfed or deformed appearance in comparison with similar occupations in free countries."[28] Hence, he concluded, the South would have gained by the abolition of slavery though the whole capital investment in slaves had been wiped out, for "it makes a void to be filled by free labor; and future accumulations can no longer be swallowed up by it."[29] Moreover, Goodloe found that slave capital was essentially unproductive:

> It may change hands, and the individual owner may exchange it for productive capital; but so long as it remains in the state or community, it is dead weight; it fetters, cripples, and sometimes destroys the energies of the community. It is for this reason that the South is behind the North in manufacturing and commerce. The industry and energy of generations have been devoted to the accumulation of unproductive capital—capital which, if it were destroyed in a day, by the peaceful liberation of the slaves, would leave the state as much aggregate wealth and power, and ten times the energy which it now possesses.[30]

When a writer from North Carolina opined that slavery "has been the obstacle which has retarded the improvement and population of the Southern States,"[31] he echoed another complaint of these promoters of factories and mills. Immigration must be encouraged and the flow of farmers and mechanics to the free states must be checked if industry was to take root in the South. The Louisville *Examiner* assured its readers that without a productive and growing population Kentucky's commercial interests were bound to decline. With this in mind the business circles in the state were already calling for emancipation.[32] According to Henry Ruffner, during the 1830's even densely populated New England grew twice as rapidly as did the old slave states. "East Virginia actually fell off 26,000 in population; and with the exception of Richmond and one or two other towns her population continues to decline." Ruffner deplored the fact that Virginia was rapidly losing her industrious and enterprising free whites. "It is a truth, a certain truth, that slavery drives away free labor—farmers, mechanics, and all, and some of the best of them too—out of the country, and fills their places with negroes."[33] Here,

---

[28] D. R. Goodloe, *Inquiry into the Causes Which Have Retarded the Accumulation of Wealth in the Southern States* (Washington, 1846), p. 13.
[29] Goodloe, *The South and the North*, p. 21.
[30] Goodloe, *The South and the North*, p. 6.
[31] Louisville *Examiner*, June 19, 1847.
[32] Louisville *Examiner*, October 16, 1847.
[33] Ruffner, *Address to the People of West Virginia*, pp. 14-17.

then, were men whose prognostications envisoned a South which was to embrace the faith of industrial capitalism.

Nor did the Southern dissenters fail to discover and exploit certain alarming social implications inherent in the slave system. Like the emancipationists in the Virginia legislature of 1832 they often cited the Nat Turner Insurrection as evidence of the danger which lurked in Southern society. And an equally alarming prospect was the possibility that the Negro population might grow to such proportions as completely to submerge the whites. Jesse B. Harrison of Virginia, in a refutation of Dew's proslavery argument, attributed the slow increase of the white population to the general lack of prosperity. Should slave labor be replaced by free, economic productivity and the white population would increase together.[34] Emancipation, it was hoped, might check the growth of the blacks. Others foresaw in the very increase among the Negroes a natural force which would certainly eventuate in the disappearance of slavery. Thus a study of the census returns of 1830 prompted Professor George Tucker of the University of Virginia to predict the ultimate extinction of slavery on the basis of the relation of a dense and immobile population to land and subsistence. Since an advanced society demanded industry and economy, slavery could not survive, and Tucker predicted that it would die when the lower South had exhausted its best lands.[35]

These alarming forebodings caused many slaveholders in the upper South to look with dread to the day when slavery would no longer be profitable, and when their slaves would cease to be welcome in the cotton states. James Bruce, addressing the Agricultural Clubs of Mecklenburg County, Virginia, and Granville County, North Carolina, urged the immediate exportation to the deep South of as many slaves as possible. It was his belief that slave labor was becoming uneconomical in the upper South. "And if his labor be profitless, of course he is a nuisance, and the sooner we rid ourselves of him the better." At the same time, Bruce noted, there was a great demand for slaves in the Southwest, but "the time is approaching when their demand may cease, and when their doors may be closed against the admission of our slaves.

---

[34] *American Quarterly Review*, XII (1832), pp. 379-426. See also Joseph J. Spengler, "Population Theory in the Ante-Bellum South," *Journal of Southern History*, II, 378-379 (August, 1936); Robert, *The Road from Monticello*, p. 49.

[35] Leonard C. Helderman, "A Social Scientist of the Old South," *Journal of Southern History*, II, 158-174 (May, 1936); J. H. Ballagh, *History of Slavery in Virginia* (Baltimore, 1902), pp. 139-140; Eaton, *Freedom of Thought in the Old South*, pp. 201-202.

Is it prudent to lose the present opportunity? Is it not better to commence the work at once, and to do now what we may be unable to do, when the emergency becomes more pressing?"[36] Goodloe, writing on the same subject, reached similar conclusions:

> In the course of fifteen years more, the supply of slave labor in the new states will equal that of the older states at present; the good lands will have been occupied, and much of them, doubtless, have undergone the process of wearing out; and this state of things will generate the same tendency to the deportation of the slaves which has been seen to exist strongly for years past in Virginia and the Carolinas. This tendency denotes the excess of supply over demand in the state where it is produced; and unless there exists a market elsewhere, the price must necessarily fall, as would that of any other valuable commodity. But there is this peculiarity about this species of property—that the production or supply of the article cannot be limited in proportion to the diminution of the demand. The slaves will go on to increase in numbers, without reference to their value, which, in consequence may become nothing.[37]

But, according to the Southern critics, such an impasse presented an even graver danger to the yeoman farmers of their section. The rapid growth of the slave population, together with the threatened decline in its property value, might encourage the application of slave labor to regions still being farmed by non-slaveholders. Ruffner believed that the presence of even a few slaves in a region like western Virginia would have an unfavorable effect upon agriculture. Even more ominous, he alleged, was the fact that "slavery naturally tends to increase from small beginnings, until the slaves outnumber the whites and the country is ruined." When the deep South closed its doors to the slaves of Virginia, they would pour into western Virginia, and the slaveholders would settle upon her fresh lands. "And then, fellow citizens, when you have suffered your country to be filled with Negro slaves instead of white freemen . . . what will the white basis of representation avail you, if you obtain it? Whether you obtain it or not, East Virginia will have triumphed; or rather slavery will have triumphed, and all Virginia will have become a land of darkness and of the shadow of death."[38]

In this manner, defiantly and apprehensively, the Southern dissidents traversed the proslavery argument of Thomas R. Dew and his disciples. Yet the refutation at best was incom-

---

[36] Quoted in Ruffner, *Address to the People of West Virginia*, p. 21.
[37] Goodloe, *Inquiry into the Causes Which Have Retarded the Accumulation of Wealth in the Southern States*, p. 26.
[38] Ruffner, *Address to the People of West Virginia*, pp. 34-38.

plete, for it demurred only so far as Dew defended the efficacy of slavery and the interest of the non-slaveholder in its preservation. Here these discerning critics could brandish their statistics in a pragmatic reply to the former's appeal to historical precedent. But when Dew demonstrated the inferiority of the Negro race and preached the gospel of "white supremacy," even the dissenters gave their tacit, if not open, assent. Their program envisaged a basic reorganization of the Southern economy, but not a social revolution.

In retrospect it is clear that these contemporary critics of the Old South had found but one—and that the most obvious—of the causes of their section's adversities. In their attacks upon an outmoded labor system they lacked the perspective which would have enabled them to comprehend other factors equally responsible for the economic ills of which they complained. Soil exhaustion and the resulting decline in land values found additional explanation in the one-crop system to which the South was tied, and in the crude agricultural methods which characterized frontier farming everywhere. Perhaps Helper and his associates, in their zeal for a cause, also exaggerated the relative prosperity of the Northwest, for the South had no monopoly on wasteful methods of agriculture or rural stagnation.[39] Later events were to prove that it would take more than a new labor system to work out the salvation of the South.

---

[39] The significance of these factors is fully developed in Avery O. Craven, *The Repressible Conflict, 1830-1861* (University, Louisiana, 1939), chaps. I, II.

RECONSTRUCTION LETTERS FROM NORTH CAROLINA

Edited by

JAMES A. PADGETT

PART IX

LETTERS OF BENJAMIN FRANKLIN BUTLER

[*Concluded*]

Wilmington N C March 31 1874

Maj Gen Ben F Butler
Washington D. C.

My Dear Sir

The writer of the Enclosed communication is or rather was a Hungarian political refugee—he was a person of rank in his native country, is an educated man and just before the war held a position as professor of Languages in some University. His representations can be relied upon so far as made

Becoming personally acquainted with him while here, at his request I give him this endorsement for what it is worth

I am very Respectfully

Your obdt Servant

W H P Wright[145]

Endorses for what it is worth.
E. M. Rosafy. [on back of letter]

UNITED STATES INTERNAL REVENUE,

Supervisor's Office, District of Virginia, Carolina, Georgia, and Florida,

Raleigh, N. C., April 7th, 1874.

Hon Benjamin F. Butler,
Member of Congress,
Washington, D. C.

My dear Sir,

Andrew Chute Esq., of Newburyport, Mass., wishes to obtain a place under Collector Simmons.[146] He is a good business man, is out of business,

[145] Since W. H. P. Wright is not listed in the *Wilmington Directory* it is reasonable to assume that he was a temporary resident of the city.

[146] William A. Simmons was a recess appointee of President Grant in 1872 for the position of supervisor of internal revenue for Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut. On December 5, 1872, Grant asked the Senate to confirm his appointment. On December 11 the committee reported favorably and he was confirmed the same day. He was born in Massachusetts, and appointed from the same state at a salary of $3,000 per annum. *United States Senate Executive Journal*, XVIII (1871-1873), 302, 325, 333, 234; *United States Official Register*, 1873, p. 85.

has a large family to Support, is a man of some influence, and has always Supported you.

He is my brother in-law and I wish him to succeed in getting a place as he desires. I have written to Collector Simmons on the subject, and he replies that he will do what he can for him. Will you oblige me by asking Simmons to give him a place.

Very Respectfully

Your Obt. Servant

P. W. Perry[147]

Concord North Carolina
May 3 rd 1874

Hon Benjamin Butler:

Will you be kind enough to give this to your clerk and have him to send me your speeches on the currency question. Enclosed find stamp to pay postage:

Yours Respectfully Wm. M. . Coleman[148]

OFFICE OF THE

1857. 1874.

STATESVILLE AMERICAN,[149]

E. B. DRAKE & SON, PROPRIETORS.

Statesville, N. C. , June 2, 1874.

Hon. B. F. Butler
U. S. House, Reps.,

Dr Sir: Although, I have not the pleasure of a personal acquaintance, I am induced to address you this Communication, being, too, a Republican, and a well-wisher of the colored race, among whom, I grew up, have raised quite a number, and profess to well- understand their former and present condition, and the great importance of peaceable and friendly relations being maintained between the two races at the South. That

[147] On December 5, 1872, Grant asked the Senate to confirm Parker W. Perry, whom he had appointed during the recess of the Senate, to be superintendent of internal revenue for Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida. On December 11 the committee reported favorably, and he was confirmed the same day. He was born in Indiana and appointed from the same state. *United States Senate Executive Journal*, XVIII (1871-1873), 302, 325, 333, 334.

[148] William M. Coleman was nominated by the Republicans for attorney general in 1868; he made one of the leading speeches in the general Republican convention that fall; and fought J. W. Holden in public, much to the disgrace of each. After the act was passed to construct the University Railroad and to provide for the issuance of state bonds to finance the work, Coleman advised that the law was unconstitutional, which ruling was affirmed by the state supreme court. Hamilton, *Reconstruction in North Carolina*, pp. 280n, 366, 372, 397, 440.

[149] The *Statesville American* was published in Statesville from 1858 to 1885. The *Statesville American and Tobacco Journal* was published in the same city from 1858 to 1886. *Union List of Newspapers*, p. 509.

the passage of the "Civil Rights Bill,"[150] in its present form, as it came from the Senate, will greatly disturbe this the friendly relations of the two races, There can be no doubt; and besides, to pass it in any form, this session, will endanger the success of the Republicans in the coming elections- in N. C. it most assuredly will, and we would fondly hope, therefore, that the measure might not be pressed in the House. The delay till the next session, certainly will be good policy, and can be allowed by the friends of the measure to ensure [*sic*] party success in this and other Southern States where elections are to be held. The Democrats, are endeavoring, to use the passage of the Bill through the Senate, to our damage already, and if it pass the House, their clamor will increase to an extent that will know no bounds, magnified by misrepresentation, falsehood and other appliances which they so well understand how to use.

With high regard,

I am very respectfully,

Eugene B Drake

Winston, N. C.
June 10th, 1874

Gen. B. F. Butler.

Sir:

A short time after the surrender of the confederate army at Appomatox, Gen Sherman's army in North Carolina, or rather stragglers from his army, put fire to a large quantity of cotton located near the N. C. Rail road at High Point 14 miles from Greensboro, the point where Gen-Johnson [*sic*] surrendered- This was an act done merely to destroy property. The cotton at the time was worth about $200,000, and was the property of miners [*sic*] heirs, none of whom had any thing to do with either bringing the war on or of aiding it in its progress.

I have always thought that the government ought to recognize this claim and indemnify these unfortunate children for so grate [*sic*] a loss on account of a war in which they gave no aid and had no responsibility.

---

[150] In his message of December 4, 1871, Grant suggested the removal of the disabilities imposed by the Fourteenth Amendment to the Constitution. In December, 1871, the Senate began the consideration of the House bill which had passed the previous session. This bill could have passed but Sumner added in the form of an amendment his sundry civil rights bill, and catagorically refused to withdraw it. In January, 1872, it was taken up again, and again Sumner insisted on his amendment. With Colfax voting in the affirmative, the vote on the amendment was a tie, but it required a two-thirds majority to carry the bill to remove disabilities, consequently it was impossible to pass it. On May 8 and 9 the Senate took up another House bill, and again Sumner tagged on his civil rights amendment. Again it failed. On May 13, 1872, Butler reported another amnesty bill from the committee and it passed in a few minutes, but when it came up in the Senate again Sumner proposed his amendment, but this time the Senate voted down the amendment and then passed the bill by a vote of thirty-eight to two, with Sumner being one of those who voted in the negative. This bill pardoned all of the Confederate leaders except between 300 and 500. A little over two months after Sumner died (March 11, 1874) the Senate, as a memorial to him on May 23, 1874, passed a civil rights act substantially as Sumner had desired. The House did not take up the subject until the next session, and when it considered a bill for that purpose in February, 1875, it was a little different from the Senate bill. It was signed by the President on March 1, 1875. It gave the Negroes equal rights with the whites in the inns, public conveyances, theatres, and other places of public amusement, and prohibited discrimination against them on juries. In 1883 the Supreme Court, however, declared much of this act unconstitutional. Rhodes, *History of the United States*, VI, 435-439; VII, 154, 155.

A large percentage of the amount would be paid for its recovery. I address you on the subject to inquire whether from the above statement you could be engaged to aid in its recovery.

From the facts above stated would it be worthwhile to make an effort to recover any thing?

I know that you are a man of great influence in the Goverment [*sic*], and could effect a great deal if you felt that you had liberty to undertake a matter of the kind.

Should you regard the idea with any favor I will furnish all the particulars in the case

Respectfully

J. W. Alspaugh[151]

THE WESTERN UNION TELEGRAPH COMPANY

Dated Raleigh N C June 10*th*. 1874

Received at 11 37 A m

To W A Clancy

Clerk Judiciary Com H R

Just got invitation Cannot leave. Letter by mail to Chairman

H L Bond[152]

Office of

D. H. GRAVES,

Salem, N. C., June 12, 1874.

Hon B F Butler
Washington D C

Der [*sic*] Sir

Pardon the liberty I have taken in addressing you, but recognizing you as one of the leaders of the Republican Party and one who feal [*sic*] a deep interest in the success of that party I would respectfully ask you to use your influence to defeat the Civil Rights bill now before Congress,, for we Republican [*sic*] in No Carolina feal [*sic*] Confident that if the bill passes & becomes a law our party is doomed, to defeat in our Elections this fall We have labored hard to build up our party here & have succeeded,

[151] J. W. Alspaugh was cashier of the First National Bank in Winston. It was located at the corner of Fifth and Liberty streets. *Turner's Winston City Directory*, 1889-1890, pp. 16, 33.

[152] Hugh L. Bond was the outstanding Federal judge who presided at the Ku Klux cases in North Carolina, where twenty-seven were convicted, eleven acquitted, and eight dropped. He really lacked decency in the trials. He released Kirk who was under parole to the marshal. First by horseback and later by carriage Kirk made his way across the country to the Virginia line, and thus escaped the punishment which awaited him. He went to Washington where he became an officer in the police force of the government buildings. Hamilton, *Reconstruction in North Carolina*, pp. 533, 578, 579-580, 608.

& we have strong hopes of Carrying our State this fall but we are Confident that should this bill pass Congress we Can not but sure be defeated

Vy Respectfully

One of your old Solders [*sic*]

of the 10 a c.

D H Graves[153]

Winston, N C
June 17th, 1874

Hon B F Butler

Sir:

I thank you for calling my attention to that part of my letter of the 10th inst. which under your construction of it was of course improper. I beg you to be assured that nothing was further from my intention than to have made any such suggestion. No such idea occured to me, but I now see how capable my letter was of such construction. The view I had in the matter was, that, under existing law the case might be reached, and thinking possible your services could be retained in the court of claims. Certainly I never had such an idea of suggesting a "percentage" for your services as a member of Congress.

Since writing you I am advised that the cotton was burned, not by "straggler" [*sic*] but by Gen- Sherman's army after the surrender, and in all probability by an order of some of his officers. The loss was full $200 000, and all the property of minors. It therefore appeared to me that in as much as the war was over, and there being no necessity for this distruction [*sic*] of property, and it too belonging to non-combattants- innocent children, there was reason why the government ought to pay the damage. And knowing the value of your influence, the real object of my letter was to gather from you, your idea of the feasebility [*sic*] of an effort, either before the court of claims or the Congress, of getting some indemnity for this terrible loss of property, and to say that for service that might be legitimate and proper ample compensation would be cheerfully expected. I therefore beg you to excuse all that appeared im proper in my letter.

Respectfully J W Alspaugh

Beaufort, Carteret Co. N. C.,
June 30 th. 1874.

Hon. Benjamin F. Butler.

Dear Sir:

Though personally unknown to you I, at the suggestion of the Republican Executive Committee of this County, take the liberty to address you for the

[153] D. H. Graves must have been a temporary resident in Salem as he is not listed in the city directory.

purpose of asking you to aid us pecuniarily that we may secure a republican triumph at the approaching August election. The County has heretofore been Democratic or Conservative, but they are now divided among themselves, and with the aid of our friends who are able to help us we are sure of a victory. Should we be so fortunate as to succeed in carrying the County, the election of a Republican Judge and Member of Congress from this (Waddell's) District will be secured, and this, the only County in North Carolina where colored men and white republicans are excluded from the jury box on account of their politics and color, will be placed in the hands where it of right belongs.

Hoping that you will excuse the liberty I have taken, and with best wishes for your health and continued prosperity,- I have the honor to be

Your Obd't Serv't

W. J. Bushall[154]

Chmin Co. Rep. Ex Com.

Rocky Mount North Carolina,
July [1874?]

To The Hon. Benj. F. Butler

Sir: Upon the introduction of the late "Hon Charles Sumner's civil rights bill" into Congress, I carefully examined its several features and concluded it would be but simple justice to the colored people as newly made citizens of the country; that some such measure should be passed in order to Complete their freedom; that its passage would silence the Democracy of the South on the subject of discrimination and class legislation; obliterate the theme to prejudice the uninformed mind and cause peace and quiet to settle down upon our nation.

Conceiving that it was one of the fundamental principles of the policy of reconstruction, I accepted it in good faith as an humble republican of North Carolina and so announced. Since the bill failed in the House of Representatives, the republican party of this state have declared in opposition to the measure; at least to its present form. I hold that its passage would not effect the South so materially as is represented. I maintain that if it was a law, it does not imply an overriding of the constitutional law of any of the states to force mixed schools where the state constitution provided as in North Carolina for separate schools. I conceive that no such interpretation is intended by the friends of the measure. The penal part of the bill is objectionable. It is the opinion of the oppositionists in this state that the August election will reflect the will of the masses of voters in regard to the measure for or against its passage.

Possessing as you do a profound legal mind, I have ventured to ask your opinion in regard to the true interpretation of the bill. Whether it implies an overruling of all state statutes together with that of all state constitutional provisions touching the matter of mixed schools or not.

[154] The editor has been unable to identify W. J. Bushall.

NORTH CAROLINA STATE LIBRARY

Your answer will do much to undeceive the people. I do not wich to make public your opinion without your consent.-

Awaiting a reply.

I am very respectfully

Your most &c, &c.

S. Fountain[155] P.M.

Address
Rocky Mount North Carolina

Morehead, Carteret Co N. C.
Sept 16/74

My dear Sir

It is long since I have heard from you. It may interest you to know that I have been elected to the General Assembly of this State, as a "Reform Democrat"—by the largest majority ever given for a Member from this County.

This County has hitherto been red hot Bourbon Ku Klux *Conservative?* My opponent was a regular Southern "war horse." There is a certain significance in my election.

There never has been a Republican elected to any office in this County before— but this time two managed to slide in under my Canvass- one the County Treasurer the other do Commissioner-

I fear we are going to have some trouble in the South- and I ask all of my Republican friends of influence to weigh well the consequences before they further support the Bill which has made so much trouble here.

I do not express an opinion but I must express *my fears,* for there is so much at stake.

You will be surprised at sentiments like the enclosed (which I send to you in confidence)—When any vacancy occurs for one who can write like that (with enough to live on) I will give you the authors name- May hop [*sic*] their [*sic*] are changes coming in party lines-

Appleton Oaksmith[156]

[Inclosed with letter from Appleton Oaksmith to Butler, Sept 16, 1874. It appears to be galley proof.]

THE WHITE MAN'S PARTY.

The Democratic party leaders of this State have opened their campaign under the above banner. The men of '61 are on the war-path, and the Bourbonism which wrecked the material interests of the South and plunged her into the suicidal war, from which she has as yet hardly emerged, is once more appealing to the ignorance and prejudice of an excitable people, to compass the political and personal ends of heartless demogogues. When men like George Davis declare, as he did in his speech at Beaufort, that

[155] S. Fountain was postmaster at Rocky Mount at a salary of $480 per annum. *United States Official Register,* 1873, p. 831.

[156] Appleton Oaksmith represented Carteret County in the legislature from 1874 to 1876. *North Carolina Manual,* 1913, p. 540.

"henceforth we will have but one party in the South- the white man's party- and that the finger of scorn shall be pointed at every white man who would even accept the vote of a negro," it is time for all honorable men, of both parties, who properly consider the true interests of the South, to pause and reflect.

It has been said "whom the gods mean to destroy they first deprive of reason." We have the Republican party and the Democratic party, and now it would seem there is a party springing to the surface, whose object is to demolish these old lines of distinction and inaugurate a party not of principles but of race- a party whose watchword is "DOWN WITH THE COLORED MAN." If the reeds of the old classical river kept up a perpetual whispering, "King Midas has asses ears," it would seem as if every breath of wind would carry abroad this Assinine project of the old Bourbon Democrats of the South, and show it up for what it is, and what it is worth, as the demented movement of a long-eared gentry.

Has our "late unpleasantness" destroyed or disabled all the men of forecast and penetrated the Democratic ranks, so that there are none left to discern the signs of the times? none to bear the old banner of true Democracy to the front, in this last almost expiring struggle for Southern prolitical recognition? It is not the Republican party- it is not the colored vote that is inaugurating a reign of anarchy and misrule in our midst, it is this suicidal mania of Southern Radical Democrats themselves. They are plunging us headlong into a war of races. They are exasperating the animosities of the colored people, who as yet uneducated, it may be, in their political and social rights, are inclined to look with a jealous eye upon those who drive them to the wall, or in other words, would hold themselves aloof from them, as if tolerance of them invloved contamination, and the colored man were the leper of the South, to be treated as a perpetual Pariah.

"Let the dead bury their dead." Let the past be as though it had never been. Politically, as a member of the body politic, the colored man stands side by side with the white man. The amended constitution accepted his vote, as it does that of every other man who has not been disfranchised by crime, and asks nothing as to the color of his skin. He stands upon his manhood as stands the white man. There he should stand and be accepted. We say it unhesitatingly, that the Democrat and Republican, the man of any party, who talk's [*sic*] about a white man's party, is a dangerous man in the community. He scatters firebrands and death, and ere long conflagation will follow. He is sowing the wind to reap the whirlwind. He is behind the times, behind the status of the colored man even whom he affects to despise and ignore.

What do the Bourbon- Democracy of the South want? Do they aim at keeping us in perpetual vassalage to the North? to prolong the period of intervention and misrule? Because serfdom is abolished, shall we annihilate those that suffered its disabilities, or render them powerless, or, what is worse, exasperate them to join men inimical to our interests? Because the constitution now forbids the white man to carry the colored vote three to one as formerly, and the former chattel now goes to the ballot box, vote in hand, a man, shall we shove him aside as an interloper, or ignore his influence, and thus compel it into unwholdsome channels?

Shame on such meanness; on such imbecility! Southern men were wont to be courageous; to accept the logic of events; to meet the inevitable; to dare the worst, and if worst came make the best of it. Admit that colored suffrage, now in its incipiancy, an accomplished fact, obnoxious to the man once in power, is an abomination to him, an eye-sore which he would avoid if he could- what then? It is here. It cannot be done away with. What then is the part for a wise people to take? Because the colored man is made an equal in law, shall we rudely contemn [*sic*] him? Shall we be like the Ouphe who bit off his nose to spite his face? Shall we refuse a half loaf because we want the whole? By no means. Let us have a true *Conservative*-Republican party, which will win over the colored vote as a great element to conserve public interest, which shall look upon public measures, not with a white man's nor colored man's eye, but with the eye of a man emulous to enhance the wealth, develop the resources, and exault the moral status of the people.

If the colored man is too much inclined to northern views, it is the fault of the Southern white man. If he seem a pupil of the North rather than an adherent of home Southern measures, it is because that section has done most to enlighten him. Why prolong this era of discontent? The colored man is an inherent outgrowth amongst us, and we have no right to treat him as an alien. If he takes a firm grip at the opportunity, and takes office, or makes claims obnoxious to the Southern white man, so be it. Let the latter put aside all his maudlin sensibilities, unbecoming the cricis, and emulate that sturdy grip of his colored fellow-citizen, which in spite of his past condition, is giving him a strong, enduring influence in the country. He is learning, it may be, the A B C of a freeman, but he is learning, not like like the Bourbon, who is unable to either forget or learn. He is a *fact* to be met not an obstacle to be put aside. We need his vote on the very questions that concern his own interests no less than ours. We need his vote that legislation may be bettered; education promoted; our railroads and all internal improvements taken from the grasp of rings, and be made subservient to the good of the people, and above all upon great National questions, wherein without his vote the South stands in a hopeless minority.

Away with all talk about the white man's party, and let us run up the banner of that great party of the future, whose mission shall be not only to restore our Government and institutions to their pristine purity, but also, while sacredly guarding the political rights of all, maintaining in a firm and kindly way those lines of race which God himself has made. Equality in all things political; distinctions, according to the personal rights of each, in all things social. In opposition to the white man's party, we propose nothing that could be construed as retaliatory, but we do propose that Conservation-Republicans and Conservative-Democrats shall coalese, and under the name of the REFORM PARTY, when this campaign is over, take the redemption of the South into their hands. In the meantime, wherever it is possible, let *true Southerners* put the best men before the people- men, who are no weak sentimentalists, but adherents to high principle, willing to accept onward ideas, and believing that God is able to uphold his own truth, and bring it about in the best way.

Military Prison
Fort Macon N. C.
October 2d 1874

To the Hon B F Butler
United States Senator

I would most respectfully submit for the kind consideration for the Hon Senator the following application

I enlisted in the regular Service in 1866, for the period of (3) three years, and Served honorbly [*sic*] and faithfully for the period of two years and Six Months, when I unfortunatly [*sic*] became involved into a difficulty which terminated in my present confinement being on detatch Service at Logan County Court House Va. while on duty their [*sic*] I became so much under the influence of liquor that I new [*sic*] nothing of what I was doing and not Knowing anything about the crime I had committed I was tried and convicted of the Charge

Bud [*sic*] would most respectfully state to the Hon Senator that during the two years and Six Months previous to this I have always conducted myself in a upright and Soldierly manner, and have always never before been into any difficulty or placed in confinement whateever [*sic*].-

which to [*sic*] written Character furnished to me by my Company Commander Captain F. G. Lacy[157] presented to the Court the time of my trial which will show for itself upon the proceedings of my trial.-

And had I not been so much under the influance of liquor I would not have Committed my self in such a manner during the last Six Months of my Enlistment. Sincerely hope the Hon U S Senator will over look this my first offence [*sic*] during my Enlistment and take into consideration my good behavior previous to this and also the length of time I have now been in confinement I have Executed.22, Months of my sentence and have used my utmost endeaverous [*sic*] during that time to atone for my offence [*sic*] with performing all duties which have been alloted to me with cheerfullness [*sic*] and Executing them to the best of my ability-. I was Sentenced to be disnonorbly [*sic*] discharged and to be confiend at hard labor for the period of . 5, years, Sincerely hoping the Hon B F Butler will take into consideration the length of time I have now been in confinement ang [*sic*] grant me by using his able influence and Kind Benevolence and recommend me for Mercy to the Sec of War for a Mittigation [*sic*] of sentence, he has so Generously extented [*sic*] towards others

Sir I have the honor to remain

Your Most Humble Servant

John Mooney[158]

Late Private
(Co B 2d Infantry)

---

[157] Francis Edmond Lacey of Ireland was private, corporal, sergeant, and first sergeant in 1858-1862; became second lieutenant on July 18, 1862; was made first lieutenant on May 1, 1863; was dismissed on April 21, 1864; was reinstated on July 22, 1864; and became captain on August 8, 1866. He became major on September 16, 1892; lieutenant colonel on February 4, 1897; was brevetted captain on July 2, 1863, for gallantry and meritorious service at Gettysburg; and resigned on August 8, 1897. Heitman, *Army Register*, I, 610.

[158] The editor has been unable to learn more about John Mooney than he relates in this letter.

Monroe N. C
Oct. 6th 1874

Gen. B. F. Butler

Dear Sir.

I was aware there was no process of law to compell [*sic*] them to pay it but I thought I would give it to you to work through for me and give you half the profits. Please let me hear from you.

Your Respectfully

J. J. Ellis[159]

by. Carter

Wadesboro Oct 26th 1874

Hon B. F. Butler.

Sir.

I am fearful my communication will pass by you without notice in the pressure of business, but I am most anxious to ask you to assist us in the purchase of a rectory for this Parish, the Ladies having determined to raise the necessary sum, by asking for help, from friends of the church-

We are a very small congregation, and much reduced in worldly means- and utterly unable to do anything for ourselves I sincerely hope I may hear from you on the subject - Should you conclude to send me anything please direct to me here.

Very truly yours

Direct Mrs W. H. James[160]

Wadesboro N.C.

Care Hon T. S. Ashe-[161]

Ship Yard N C [Camden Co.]
Decm 5 th 1874

Dear Sir

You may be supprised [*sic*] at receiving a letter from one who never saw you but once and that was when he was introduced to you in Washington city in april 1861 I am glad of your success heretofore and sorry of your defeat in the last Election. Massachusetts is like old N.C. she

[159] The editor has been unable to identify J. J. Ellis.
[160] The editor has been unable to identify Mrs. W. H. James.
[161] Thomas Samuel Ashe was born in Orange (now Alamance) County, North Carolina, on July 21, 1812. He studied law under Chief Justice Ruffin and settled in Wadesboro, North Carolina, in 1836, after graduating from the University of North Carolina in 1832. He served in the legislature in 1842 and 1854; was solicitor from 1848 to 1852; was a member of the Confederate House of Representatives, and then of the Confederate Senate; was defeated for governor by Holden in 1868; was a member of Congress in 1873 to 1875; and was elected state supreme court justice in 1878 and in 1886, and served from 1879 until his death on February 4, 1887. *National Cyclopaedia of American Biography*, VII, 349-350.

has lost one of her ablest statesmen in your Defeat so did N.C. when she lost the Hon Jno Pool but I hope it will be for the best by the next Election as it will bring some of those milk &c cider Republicans to their senses but sir I hope your defeat will be for your gain for sir this is one of the finest speckulations [*sic*] here that I have ever seen.. in the Purchase of the Dismal swamps canal it neads [*sic*] a man like you to take hold of it who has got both energy &c means to manage it- &c you can make more in buying that canal in five years than you can in congress in 20 years and I hope you will look after it and take hold of it both for the benefit of north carolina &c your self &c others You will please give my Respects to Hon Jno Pool when you see him also to Judge Pool

Yours Respectfully

Jno. W. Halstead[162]

To Hon B. F. Butler

Senator Chamber,

Raleigh, N. C., Decembr 15 1874

Hon Benjair [*sic*] Butler

Dear Sir

I See it Stated in the papers that it is not likely that you will press the Civil Wrights [*sic*] Bill

I hope this is not true the Colored people all over the South are at this time in a great measure Lookin [*sic*] up to you to Carry this Bill threw [*sic*] Congress and I do hope that you will not only Call the Bill up but I hope you will be able to pass the bill and Let this people who hav [*sic*] bin [*sic*] wating [*sic*] so Long See the End if the bill fails to pass at this Sesion then the bill is dead and the Republican partie [*sic*] is dead but if the bill is passed then the partie [*sic*] will Spread

this from yor [*sic*] omble [*sic*] Servent [*sic*] on behalf of mey [*sic*] Richard Tucker[163] member of the Senate Brench [*sic*] of the Legislature

South Mills n C
January 20/ 76

Hon,. BenJ. F. Butler

Dear Sir I write to you to in form you that the Dismal Swamp Canal will provably [*sic*] be soled [*sic*] in April or June 1876 & I'f you Should desire to purchase it will valuable Property as it is the best Canal in this Section & will pay well with a verry [*sic*] Smawl,, [*sic*] out Lay,,

[162] John W. Halstead was a merchant in eastern North Carolina. He has a nephew, W. I. Halstead, a prominent citizen of eastern North Carolina, still residing at Elizabeth City and South Mills.

[163] Richard Tucker was one of the nineteen Negroes elected to the state house of representatives in 1870-1871, and one of the three Negro senators elected in 1874. Hamilton, *Reconstruction in North Carolina,* pp. 536n, 604n.

as I am a Stranger to you I will refer you to My Esteemed Friend Hon C L Cobb Formerly a member of Congress from this district. I am now Living at The South mills on the South End of this Canal, and will Give attention that necessarey [*sic*] to inform you from to [*sic*] time to time when the Sale will take Place I' [*sic*] it should be Postponed write & Let me heare [*sic*] from

respectfullley [*sic*] yours

John O Kelley[164]

To Hon BenJmin [*sic*] F Butler
Washington D C

Ju [ly] 20, 1876

ALAS FOR REFORM! WE KNEW IT WOULD KILL HIM.

The Radical party talks reform, but it 'kills off' every body who dares to attempt to carry it out. Behold now Bristow[165] and Jewell[166] have had to walk the plank. See how Bristow was slaughtered by the National Radical Convention.

The only man who went to the State Radical convention as a reformer, who meant what he said, was Mr. H.N. Brown, of Hillsboro. In the Orange county republican convention we get the following, taken from proceedings:

'H.N. Brown, said he had an amendment to offer. He did not know whether the meeting would like it or not and he didn't much care, but he was going to offer it. It was read and with the air 'this'll fool some body,' was adopted. Here it is:

Resolved: Reform to be a necessity and that the Republican Party has enough of honesty and Statesmanship to command the confidence and support of any friend of reform of official purity and sound administration.

---

[164] There are several Kelleys living in this section of the State. John O. Kelley must have been a laborer or farmer living there.

[165] Benjamin Helm Bristow was born in Kentucky on June 20, 1832; graduated from Jefferson College in Pennsylvania in 1851; was admitted to the bar in 1853; entered the army as a lieutenant colonel in the Kentucky Union forces; fought under Grant; rose to the rank of colonel; and fought until the end of the war, having been wounded at Shiloh. He was in the state senate from 1863 to 1865, at the same time that he was in the army; resigned at the end of two years, although he had been elected for four; was United States district attorney from 1865 to 1870; solicitor general from 1870 to 1872; resigned to be attorney for the Texas Pacific Railroad, but soon returned to Louisville; was nominated for Attorney General in 1873, but was not confirmed by the Senate; and was Secretary of the Treasury from June 5, 1874 to June, 1876, when he resigned. He was the leading candidate for nomination on the Republican ticket in 1876, but Hayes won. He then moved to New York City, where he practiced law until his death on June 22, 1896. *Appleton's Cyclopaedia of American Biography*, I, 380; *Dictionary of American Biography*, III, 55-56.

[166] Marshall Jewell was born in New Hampshire on October 20, 1825, and died in Connecticut on February 10, 1883. He learned tanning under his father; became an expert telegrapher and for three years worked in the South and Ohio; became a partner with his father and brothers in the leather business in 1850; and remained in the business until his death. He became a leader in the promotion of the Republican party in Connecticut; was defeated for governor in 1868 and 1870, but was elected in 1869, 1871, and 1872; and became a reform governor. He was sent to Russia in 1873 as minister, and brought back with him the Russian method of tanning; was brought home in August, 1874, to be made Postmaster General; and supported Bristow in his reforms in the Cabinet, and resigned with him. Jewell returned to Connecticut; supported Hayes; was chairman of the Republican National committee in 1880; but the labors of the campaign undermined his health so that, although he returned to his business, he did not live very long afterwards. *Appleton's Cyclopaedia of American Biography*, III, 431-432.

No nominations made or instructions given except that *half* the vote of the county delegation be cast for H.N.Brown for Supt. of Pub. Instruction, the other half for Sol Pool.'[167]

After that 'reform' resolve his own county virtually repudiated him, by directing half of the vote to be given for Sol. Pool, the infamous slanderer of a respectable lady, and the murderer of the State University. Now, honest men of the State, how did the vote stand in the State Convention! Did Mr. Brown, who is recognized as an honest gentleman, though a sadly mistaken one, get a large vote, or did Pool run ahead. Here is the vote. POOL 69, Brown 11, Mr. Carson[168] of Henderson was nominated, defeating Pool solely because he was 'west of the ridge.' Here are the proceedings taken from the 'News:'

The nomination of a Superintendent of Public Instruction being next in order, Samuel W. Watts[169] of Franklin nominated Rev. J. C. Carson of Henderson county, a western man, and a deep dyed radical, who was expelled from the Presbyterian Church. C.L. Harris[170] of Wake seconded the nomination.

Willis Bagby[171] of Perquimans nominated the infamous Solomon Pool of Orance County.

John A. Flagg the Post Master at Asheville, in Buncombe county supported Carson in one of his excitable speeches, before he finished his speech he forgot all about Carson and eulogised himself and it was not until he fagged out that his time had run out and he very excitedly took his seat, puffing and blowing like a stump tailed bull.

Cowles[172] nominated little Tommy Purnell,[173] saying at the time that he made a hopeless fight during the last campaign, but that his present office did not pay him enough to justify him in paying for shoe leather.

James E. Boyd[174] nominated H.N. Brown, of Orange county.

Tim Lee,[175] the defaulting Sheriff of Wake county, supported Purnell.

George A. Price,[176] colored, of Halifax, supported Pool.

General Hampton[177] of Revenue renown, and the bloody shirt Tourgee[178] also gave their support to Pool, so did H.B.Guthrie, who in his

---

[167] Reverend Solomon Pool was one of the leaders in the Republican schemes in Reconstruction in North Carolina. He was one of the directors of the North Carolina Railroad Company in 1869; was president of the executive committee to reorganize the University in 1869; with their organization and instructions they doomed it to failure and in 1870 its doors were closed, for it had only three professors and a president, but no students; and the committee's work had to be done over again in 1874. Hamilton, *Reconstruction in North Carolina*, pp. 440n, 584, 625-628.

[168] The Republican convention in 1876 nominated J. C. Carson for superintendent of public instruction. Hamilton, *Reconstruction in North Carolina*, p. 646n.

[169] Samuel W. Watts was mixed up in the railroad graft of the state, was ignorant and corrupt as a judge, and was allied with the carpetbaggars. He received $5,000 graft from Littlefield for which Watts advised the court to keep the solicitor from drawing a bill. Hamilton, *Reconstruction in North Carolina*, pp. 263, 280n, 338n, 388, 394n, 405, 415, 436, 445-446, 561, 598, 632.

[170] Ceburn L. Harris was personally honest, but he was a practical politician. He was superintendent of public works. When he protested against a proposed fraud his colleagues read him out of the party. He was one of the organizers of the Republican party in the state, and presided over the meeting in 1866 when the movement for the organization of the party took form. Hamilton, *Reconstruction in North Carolina*, pp. 187, 189, 240, 241n, 280n, 380, 389, 395, 404, 414, 584n, 588, 614-615.

[171] Willis Bagby represented Perquimans County in the legislature from 1876 to 1879. *North Carolina Manual*, 1913, p. 755.

[172] A. C. Cowles was a conservative leader in the senate. He was elected in 1870; voted not guilty on three counts against Holden in 1871; and in the election of a United States Senator in 1871 he joined with six other conservatives to elect Merrimon over Pool. Hamilton, *Reconstruction in North Carolina*, pp. 536, 555n, 563, 594n.

[173] In 1874 the Republicans nominated Thomas R. Purnell, a recent convert to the faith, for superintendent of public instruction. Hamilton, *Reconstruction in North Carolina*, p. 600.

remarks called Flagg a 'brindle tail.' Isaac Strayhorn the would be Elector for this District was the only supporter of the claims of Henry Brown, of Orange county.

After the speechmaking the balloting commenced which resulted as follows: Pool 69: Purnell 25; Carson 128; Brown 11.

This is the way Radicals 'reform' things.

[Butler Papers, Library of Congress, filed under date of March 1, 1877.]

OFFICE OF

M. BAUMAN,

ATTORNEY & COUNSELLOR AT LAW,

Anderson Street,

Fayetteville, N. C., Aug 24 1876.

Gen Benj F Butler:—

Mr [*sic*] Dear Sir: I take liberty of addressing a few lines to you in order to impress upon your elaborate mind. how joyful it is to five millions of hearts; it is to learn, that you will probably return to the Congress- of the U States- It seems to me that there is no other man known in the interiors of the South, but "Mr Ben Butler"- I will assure you Sir, that the heart of every Colored Citizen beats with an aching fear that the Rebel element might by some means elect a President- Great God should that happen the "nigger," the white Republican, might leave this land at once, if they dont I know they are in danger- Your election to the U S C. is equal to half of the Southern delegations from all of the Southern States- I opened an address to a large assembly of both white and colored a few evening [*sic*] since where I made it my main

---

[174] In 1870 James E. Boyd was arrested without any reasons being given. He was the conservative nominee for the legislature when he was arrested in Graham; was taken to Yanceyville jail; and agreed to tell all he knew about the Ku Klux Klan if the radicals would release him. He held interviews with Holden; he and fifteen others published their confessions, but this did the radicals little good; and he was nominated for Congress by the Republicans in 1876 in the fifth district. Hamilton, *Reconstruction in North Carolina*, pp. 470, 507, 517, 518, 552-553, 572, 601, 647n.

[175] Timothy F. Lee was the carpetbagger sheriff in Wake County and received ten railroad bonds for acting as a go-between in a graft scheme. In 1870 Josiah Turner finally got a warrant for the arrest of Holden, but Lee refused to serve it. He allowed Bergen, aide to Kirk, to escape. He was $30,000 short in his accounts in 1876, and led the opposition to the Holden machine that year. Hamilton, *Reconstruction in North Carolina*, pp. 446, 531-532, 602.

[176] George W. Price of New Hanover County was a Negro Republican candidate for the convention of 1868; served in the senate from 1870 to 1871; and tried to win the nomination for lieutenant governor in 1871 on the Republican ticket, but was defeated. Hamilton, *Reconstruction in North Carolina*, pp. 285, 536n, 584n, 646n.

[177] E. P. Hampton was connected with the *Henderson Pioneer* and *Asheville Pioneer* in western North Carolina. He ran for Congress in 1876 on the Republican ticket against Vance in the eighth district. Hamilton, *Reconstruction in North Carolina*, p. 647; Edward McPherson Papers, Library of Congress, *passim*.

[178] Albion Winegar Tourgee was born in Ohio on May 2, 1838; studied in Rochester University in 1859 to 1861; served in the army from 1861 to 1865; was twice wounded and a prisoner in the hands of the Confederacy for four months; and after the war he settled as a farmer, lawyer, and editor at Greensboro, North Carolina. He opposed the first plan of Reconstruction; prepared the report for the Loyalist Convention at Philadelphia on the conditions in the South; was an active member in the conventions of 1868 and 1875 in North Carolina; and was on a committee to codify and to revise the state laws. He was elected judge of the superior court for the seventh district in 1868; served until 1874; and was made pension agent for the state in 1876. Several raids were made for the capture of Tourgee by the Ku Kluxers, but he escaped them all and became quite a writer and lecturer. His best known book was "A Fools Errand by One of the Fools." *Appleton's Cyclopaedia of American Biography*, VI, 143-144.

point to touch upon the political record of the Hon B F.B. it caused me so much interruption I was compelled to sit down for a few moments- I think I shall be compelled to abandon my idea of settleing [*sic*] South. I am sufficiently satisfied with what I have already experienced- A *man* that *has* lived in Lowell, Boston, Springfield, and Chicopee,, besides after 14 months of wearing Uncle Sam's blues, Cannot afford to throw away his life in a Rebel Country. after I have seen as many of them as I did eat the dirt as they did; and to-day: these invetret [*sic*] Rebels are worst [*sic*] than they were in 1861. in abusing the d- ed S- n of B—es of Yankees. I speak the whole truth so help my [*sic*] God. I say it without fear of impeachment. no man of any the least refinement can live in the entire South should they succeed in carrying the next election if he dares to defend the Union, north and the Republican Party.- I will inform you Sir:the fact as it is; that the South is so well organized that the negro has not even a shader [*sic*] of an opportunity. the South to day: has a *well organized* Army of well drilled Soldiers, whites, that you will find to be true by a little enquiring of better sources than your simple writer, that they turn out and drill at least once a week- with the very best improved arms. I say sir: it would be far better to kill all the colored people at once- then there would be no more trouble with the South- For you will find it is all about the "nigger supremacy" all the time, Why, my heavens one half if not 2/3 % of the entire negro race of the South are mulatoes [*sic*] -There is to-day, just as many colored women kept to-day by white men as they ever was- And yet, there is a great howl about, the negroes, and "nigger rule"-

Well sir: I still say that it nevertheless a fact, the name of Butler South is a *Powers* I lived 17 years in good old Massachusetts. I wondered for years, in her nights Schools. and with the Christian teaching, I received therein- I cannot suffer to hear her able name, her able sons, and her great institutions abused- Let me if you will tell you how they do the "Elected," [*sic*] They have different Clubs, in wards, Boys and all are allowed to enroll themselves as members of the said clubs- well, members of ward 1 one [*sic*], a sufficient number, join wards two, and so on, until they know they have a sufficient quanitity [*sic*] of "voters" to "fix things right"- And hence it is. Alabama or any other state Can give as large a majority as they please, after they drive the negroes from the polls, and intimidate them by all kinds of menace- These Boys vote the negro's names that they drive away from the voting places- and hence it is the "niggers voted the Demorcractic [*sic*] ticket by thousands." it is a wonder that they ar [*sic*] not voted by the millions- I will enclose to you a small cut from one of the leading Papers of this State. "The North Carolina Gazette," and the Editor Sir was one of the great givers of that fellow Baker- Read it, see what he says about election day.- And you Can satisfy yourself, that if there is nothing done to protect the Colored voter, there is no use in holding an election at all-

I do not think I shall remain here during the Canvass at all- I think I had better take myself in some more reserved place-

I should like to very much vintilate [*sic*] myself upon the stump in your District. I should like to tell the people of Mass, how well the South is organized, see for a moment: even a temperence [*sic*] Society is used as

a place for Contriving plans of a secret nature to defeat negro in his propsirity [*sic*]- In fact there is all kinds of Clubs organized for that and political purposes and are devised of course having any political bearing whatever. But why is it? that none but true Demorcractic [*sic*] men are allowed to become members- And should one feel to change over to the Republican side of the House he is immediately ordered to leave it & "oh no! they are not",, political organizations "- But there is not a nigger or negro, in the whole & youth belong to one- Now I desire to know where is the big Demorcractic [*sic*] negro votes,?

I beg pardon for detaining for this is not of course so interesting to you. But I offer my services to you, and would like to Canvass and *reason* a while upon the Condition of the Southern Heart and mind.- I should like to tell the Irish population just about what the Southerner thinks of them-

I am unable to say how this State will go, for the Devil is growing so big in some of the people, I am sure I Cannot say but what there will be blood shed here yet.-

God knows I hope not.

I hope to hear from you soon

I beg leaf [*sic*] to be

your obt. servent [*sic*]

Maurice Bauman[179]

Atty at Law

Fayetteville N. C.

SPEAKING AT JONESBORO,- An extra train will leave Fayetteville at 7 o'clock to-morrow morning, in order to accommodate all who may wish to hear the discussion between our next Governor, Z.B. Vance,[180] and Grant's (not our) former minister to Pe-*rough*[181] (as Gen.Leach[182] would say). Fare for the round trip will be 50 cents from Fayetteville and 25 cents from all other stations. Doubtless a very large crowd will be present to listen to the eloquence of our great leader, and we would like to make a suggestion in advance: keep cool, boys, and don't allow yourselves to be drawn into any angry altercation or difficulty. Keep

[179] The editor has been unable to identify Maurice Bauman.

[180] Zebulon Baird Vance was born on Reems Creek in Buncombe County, North Carolina, on May 13, 1830; attended the common schools, Washington College in Tennessee, and the University of North Carolina; was admitted to the bar in 1852; and began to practice in Asheville. He was in the state legislature in 1854; served in Congress from December 7, 1858 to March 3, 1861; entered the Confederate Army in May, 1861, as captain, and became a colonel in August, 1861; and was governor from 1862 to 1865. He was a delegate to the Democratic convention in 1868; was elected to the United States Senate in 1870, but was not allowed to take his seat; was defeated for the Senate in 1872; was governor from 1876 to 1878; and served in the Senate from March 4, 1879, until his death in Washington, D. C., on April 14, 1894. *Biographical Directory of Congress,* p. 1642.

[181] In 1871 Thomas Settle was appointed minister to Peru, but on account of ill health, came home in a few months. *Appleton's Cyclopaedia of American Biography,* V, 466.

[182] James Madison Leach was born in Randolph County, North Carolina, on January 17, 1815; attended the common schools and Caldwell Institute at Greensboro; graduated from West Point in 1838; studied law and was admitted to the bar in 1842; and began to practice in Lexington. He was in the state legislature from 1848 to 1858; served in Congress from March 4, 1859 to March 3, 1861; was captain and lieutenant colonel in the war; was a member of the Confederate Congress in 1864 and 1865; served in the state senate in 1865, 1866, and 1879; and was in Congress from March 4, 1871 to March 3, 1875. He died in Lexington on June 1, 1891. *Biographical Directory of Congress,* p. 1212.

your contempt for *Radicalism until election day* and show it at the *ballot box*. Nothing would please the Radicals more than to foment difficulties during this canvass, for they have no hope of winning in a fair contest. [The words were underscored with a pen.]
N.C.Gazette Aug 24, 1876 [written on the clipping].

Highlands N. C. Nov. 28, 1876

To Maj. Gen. B. F. Butler
Lowell Mass

Dear Sir:

I write to congratulate you on your election to Congress[183] from the 7th Mass. Dist. I myself am very much pleased that it has come about. I am glad for your Dist. and I am glad for the country, and I feel certain from your past record that you will sustain your well earned name for patriotism, and your exaltted [*sic*] position as an American Statesman.

I see you have had to contend with formdable opposition. Now, I have studied a great deal to get at the foundation of it, and while I know you oppose unscrupulous papers, and Rings, I decern [*sic*] one thing, that is the relentless manner, the long continued pursuing of an enemy, orponent [*sic*]. Perhaps I am wrong, but so it appears to others, even if you dont so intend. If you could forget and forgive, or seem to, you would be the most respected Statesman of the Land. How it would stagger your opponents if when the opportunity occurs, you do Mr. Hoar[184] a good turn. I see already the country expects much of you in the next Congress.

I dont know as it will ever be in my power again, to render assistance but should your name ever be sounded for Presidential's honor I should make an effort. I hope in your judgement you will think it best to work for further civil service reform and to the extent that none shall be turned out of office except for misconduct, and physical and mental disqualifications. I think there can be no doubt that a serious injury is done to American progress by wholesale discharge of officials on the incoming of a new Administration.

I am a stranger to you, tho' I have a letter addressed to myself from you, on the Temperance question at the time your name was before the people for Gov. of Mass., at the time, I sent the letter to one of the Boston papers. I was then residing in Sherborn middlesex Co Mass. I then undertook to secure you, Sherborn delegates, but of course such a task would show its aim, and the result was the largest caucus ever held in S. The Town Hall was nearly packed, and our list of delegates was defeated by three votes. The first time I saw you was at the Constitutional Con-

---

[183] Butler was defeated for Congress in 1874, but was elected again in 1876. *Biographical Directory of Congress*, pp. 768-769.

[184] George Frisbie Hoar was born in Massachusetts on August 29, 1826; graduated from Harvard in 1846; was admitted to the bar in 1849; was sent to the state legislature in 1852; was elected to the state senate in 1857; and served in Congress from March 4, 1869 to March 3, 1877, and did not run in 1876. He was one of the managers to conduct the impeachment trial of William W. Belknap; was on the electoral commission; was a member of the Republican National convention in 1876, 1880, 1884, 1888; and served in the Senate from March 4, 1877, until his death on September 30, 1904. *Biographical Directory of Congress*, p. 1103.

vention in Boston. The last time was at Framingham on the *Fourth of July*, a most memorable occasion, for your speech was a grand one, and its delivery magnificant. It so impressed me, that to this day I can recall your presence, your gestures, and your language.

We saw a statement in one of the papers of the South that, in your campaign in Mass. you were obliged continually to surround yourself with a guard of 50 negroes to secure your person from violence. I send you copy of letter I sent to *The Transcript*. I presume they will not print it. Very Respectfully

Yours Thomas B. White.[185]

Highlands N. C. Nov 28, 1876

To *Editor Transcript*

We would like to show you how the Butler affair in Mass. looks to some of the Southern people. First, we will say that some of the Republican papers North, are in unison with the generality of Southern people in condemning Mr. Butler; a fact which is very pleasing to a certain element here. I will show however, one curious fact, that is, those who were union men through thick and thin, regard Mr. Butler with the greatest respect, and have the fullest confidence in him; a fact borne out by my acquaintance in the South, and even from those who have lived for the past 20 years in New Orleans. And I might further add, some of the language and means used to defeat Butler, looks at this distance, somewhat ridiculous. Now no one will deny that the opposition to Mr. Butler is purely personal, not political. We see him called a knave, unprincipled, and several other opprobious epithets; and tho' we have scanned the papers, and watched the charges, we have never seen them sustained by published facts. The remark in a recent *Transcript*, on the Election, that Mr. Hoar "could congratulate himself upon the quality of his votes, if not the quantity," shows that the voters for Butler were ignorant, (in the same class with Republican voters of the South,) or else an insult was offered to those who voted according to their convictions. Mr. Hoar is regarded here, as a gentleman of brilliant attainments, and his public career is looked upon with favor. His defeat, we should judge, was brought about, 1st by his lending himself to a person faction: an intelligent voter, will not so lower his dignity as to sustain the personal antipathies of others.

2nd to a Bolter's ticket. T. B. White

---

[185] Evidently Thomas B. White was a carpetbagger or a farmer who migrated to the South soon after the close of the Civil War.

[186] Doubtlessly the reference here is to the gold mining property of Butler near Shelby, Cleveland County.

[187] Richard H. Battle was born in Louisburg, North Carolina, on December 3, 1835, the son of William Horn and Lucy Martin Plummer Battle. He graduated from the University of North Carolina in 1854; studied law under his father; and was admitted to the bar in 1857, first practicing in Wadesboro. He entered the Civil War as first lieutenant in the forty-second North Carolina regiment, but he resigned in September, 1862, to become private secretary to Governor Vance, a position which he held until August, 1864, when he became state auditor. On November 28, 1860, he married Annie Ruffin Ashe. After the Civil War he formed a partnership with Samuel F. Phillips and they enjoyed a lucrative business until the dissolution of the partnership in December, 1868, when Battle became a member with his father and brother, Kemp P. Battle, under the name of W. H. Battle and Sons. In January, 1876, he formed a partnership with Samuel F. Mordecai, under the style of Battle and Mordecai, which firm continued into the twentieth century. "No man in recent years has attained to a higher eminence in the profession" than he. He was a member of the state Democratic committee,

LAW OFFICE OF
BALLTE & MORDECAI,

Raleigh, N. C., 1st March 1877.

Genl. B. F. Butler
Washington, D. C.

Dear Sir: Enclosed we send a letter from the attorney in Cleveland Co. to whom we wrote about the proposed sale of your property[186] by the Sheriff It explains itself & is quite satisfactory- Will you write to him about further Proceedings in the matter, or shall we do so- If you prefer that we do so, please return Mr. Hoke's letter to us-

Yours Truly

Battle[187] & Mordecai[188]

A CARD,

To the Voters of Orange, Person and Caswell.

CONSERVATIVES, REPUBLICANS: ALL.

FELLOW CITIZENS: I will soon appear before you as a Republican candidate to represent this Senatorial district in the next General Assembly.

I am a Republican from conviction and choice.

I accept the Hates and Masked Suspicions of former friends, having accepted the situation, I accept the Home assigned by the Party of Virtue, Honesty and Intelligence.

Preferring to suffer affliction with the people of God rather than to be called a democrat of to-day.

What has been my Record, when invited to assist in raising the Stars and Bars in my town the morning Abe Lincoln's proclamation was received, I refused, remarking, "not to save your lives!" for which I was branded a Lincoln man and traitor; was greeted on my first visit to the army, "why Brown have they not hanged you yet?"

When Secession Democrats told your sons to go and fight their battles, and when they fell that they would support their widows and orphans, I vowed I'd stay at home and fulfill their promises. How I have kept my vows, how I have tried to keep all my promises, is known to this people.

---

serving as chairman from 1884 to 1888; served as president of the board of directors of Rex Hospital for years; was director of the Citizens' National Bank of Raleigh, of the Raleigh Cotton Mills, and of the Neuse River Cotton Mills; and was president of the North Carolina Home Insurance Company. He was a trustee of the University of North Carolina in 1879; became secretary and treasurer in 1891; was one of the founders of the Good Shepherd Protestant Episcopal Church; and in 1886 he became a member of the general convention of the Episcopal Church throughout the United States. Samuel A. Ashe, *Biographical History of North Carolina,* VI, 39-43.

[188] Moses Mordecai, the first of the family of legal and otherwise prominent members, came to Raleigh in order to purchase a lot at the second city sale. Only recently has the great square, with the Mordecai mansion built far back on it, finally been divided into smaller lots. After leaving New York he first settled in Greenville, North Carolina, but moved to Raleigh about 1820. His first and second wives were sisters, Margaret and Annie Lane, daughters of Joel Lane. He died in 1824 after spending a useful life as a jurist of note. His grandson, Samuel F. Mordecai, was a partner of Richard H. Battle; was one of the ablest lawyers of the state; and taught in the Law School of Wake Forest College until after the beginning of the twentieth century. Hope Summervell Chamberlain, *History of Wake County, North Carolina,* p. 148; Moses N. Amis, *Historical Raleigh From Its Foundation in 1792,* p. 99.

When Peace Commissioners met at Fortress Monroe[189] I was for Peace. Only one Newspaper in the South advocated Peace measures, for which its supply of paper was threatened to be cut off. I sent a car load of rags as a present to exchange for paper so as to run the paper.

I was invited to request the great leader of the Democratic and Conservative party to assist in reconstruction. His reply was, "I think there ought to be two parties." The result of that decision was the conservative and democratic party. I was offered office. I refused all offers of gold and office. But promised that when this day come I would try to do my duty.

This is a brief history of the republican that now offers to lead you. Who would attempt to shelter his and yours from the bitter fruits of secession democracy. The democratic and conservative party of to-day. The Radicalism of the day, the spirit of 1861.

Why am I a Republican? I answer: The party came into life amidst the Prayers and Hopes of the best men of all parties. It arrived at manhood, when the life of the Nation was endangered by Secession Democracy. When Abraham Lincoln was elected President, from that day to this, the Nations best interest is interwoven with the Union Republican Party.[190] In my judgment the party will not die by desertion from its folds. It is greater than its greatest men. All who desire stability and consequent prosperity and do not desire reaction cannot afford to die. The working man whose interest it has ever protected, whose wages it has sought to maintain and advance, cannot allow it to die.

More than all, the humble and the defenceless who owe all to the ascendency of the republican party, cannot afford it to die. On its banners they see priceless principles to them enscribed, liberty for all, protection for all, justice for all. Till they are asured *that* protection neither they nor those who care for them can see its Banner furled in defeat.

The party and especially the leaders of the republicans feel that the present condition of the country is their work, they review its career with the greatest pride. It has been successful. It has been triumphant not only in politics but war. Its history is a heroic one. They look upon themselves as the Saviors of the country and in my opinion it's [*sic*] habits will rule this nation. Its will is the higher law, all the acts I do, all the words I utter will be to build up the habits of this party. Early will I teach my sons to obey the laws and the constitution to maintain the Union of the States thereunder. At her alters will they swear eternal hatred to the habits of the Secession Democracy.

And why am I not a democrat? There are not wanting good national and well meaning men who say "let by gones be by gones, let the dead past bury its dead." This is all very well and very right so far as resentful

---

[189] On February 3, 1865, the "Hampton Conference" took place on board the steamer *River Queen,* anchored in the Roads, off Fortress Monroe. Here Alexander H. Stephens, R. M. T. Turner, and John A. Campbell for the Confederacy met President Lincoln and Secretary of State Seward to seek some way to end the bloody struggle. It was suggested that the North and South unite to drive the French from Mexico, but Lincoln demanded a complete restoration of the Federal authority in the South. Lincoln proposed liberality to the South and compensation for the slaves, but demanded submission of the South. The four-hour conference amounted to nothing. James Kendall Hosmer, *Outcome of the Civil War,* pp. 228-229.

[190] There was so much opposition to the Republican party and Lincoln that the leaders took the name of Union Party for the Republican party in 1864, and nominated Lincoln and Andrew Johnson. They won on the slogan of preservation of the Union. Hosmer, *Outcome of Civil War,* pp. 148-154.

feelings may be involved. But he is a great blockhead who learns nothing from the past. What has been the habits of the democratic party born of the people, nursed by the best men of the nation, in its manhood committed to its keeping, the interest of this people? At the age of 30 its leaders drunk with the madness of secession[191] gambled away all that was dear to you, upon the fatal card secession, and died aged 40 years in the dark caverns of the K. K. Klans near by lake destruction. Examine its dead body, now ready for burial, by whom? Greeley republicans! Its funeral car, the chariot of the bond holders, its coffin, the plank secession, its shroud K. K. disguises, turn it over! on its back is written rule or ruin, on its forehead, "not to be trusted." To its funeral car wheels are chained the people loaded with taxes, haunted by revenue officers. Around it mourns its leaders, who swore that secession should live forever more; who taught you that they would wipe up with a silk pocket handkerchief all the blood that was shed upon the Democratic Plank Secession. Around it weep its widows and orphans; around it is strown your wasted fortunes, blasted hopes and fondest ambitions; its garments drip the blood of your children slain in civil strife, and gathering to-day around it, you see an army of office seekers, the Greeley republicans. Will you resurrect it? Can you trust it? is it to be trusted? Never! Happy will this people be if this party resurrected is not allowed to precipitate another war. History is but repeating itself. We have had a war of Independence 1776. A commercial war 1812. Insurrection and rebellion. Harper Ferry raid.[192] A war of conquest with Mexico.[193] A great civil war. War is the staple of History. Are we to have another war? Take my advice. Let your votes and voices be given to sustain the republican party and swear your sons to support the laws and the constitution of the United States and to maintain the Union of the States thereunder. The Union as established and the Laws as expounded by the republican party and thereby in the next war march to the music of the Union.

And attempt not to teach the republican party its duty, or how to expound the laws and to maintain the Constitution. A madness to-day more fatal is possible to you and yours than dead secession. Be advised by one who has never advised you against your best interest. Cease to retail their poisons. The venom of the serpent is under their tongue. Their fruit is bitter. Their sting more deadly than the poison of the asps, be advised. Let them feast upon their own production. Let them eat their own, and die by their own poison. Be not their willing tools, if their slaves.

---

[191] In the nullification controversy in South Carolina, in 1832-1833, the leaders would not go as far as secession, but by the time of the Nashville convention in 1850, the more radical favored such action as a last resort. The Compromise of 1850, the Kansas-Nebraska Act, the Dred Scott decision, and the election of Lincoln brought the issue to a climax. In 1860 the legislature of South Carolina, which chose the presidential electors, remained in session until after the election and when it was learned that Lincoln had been elected, a convention was called in the state. This body on December 20, 1860 dissolved "the union now subsisting between South Carolina and the other states, under the name of the 'United States of America.'" The Gulf states soon followed and the Confederacy was established. Later some of the border states withdrew, but Deleware, Maryland, Kentucky, and Missouri, all slave states, remained in the Union. John Spencer Bassett, *Short History of the United States*, pp. 511-517.

[192] In 1859 John Brown, who had worked for a free state for Kansas, solicited funds in New England and went to Virginia, where he leased a farm and collected arms. On October 16, 1859, he and his men seized the United States Arsenal at Harpers Ferry, but it was retaken on October 18, and John Brown was later hanged. Bassett, *Short History of the United States*, p. 503.

[193] He here refers to what has been called an unjust war with Mexico in 1846-1848, for the acquisition of territory, although it was begun under the pretense of a dispute over the boundary line of Texas. Bassett, *Short History of the United States*, *pp.* 445-450.

Huckster not their vile suspicions. You cease to do their bidding and your leaders will be republicans. Think and act for your own interest, and those who you have the care of, and my word for it, you will all be republicans. Begin to-day and vote in August and November for the candidates of the Union Republican Party, and thereby show you intend well for your country. Give us your votes, a large majority. Then can we look to the best interest of the sons of North Carolina. Then will our Policy be in accord with the ancient habits of this people. To-day the New is uplifted. The Old put down. *This you must accept.* The sons of North Carolina are slaves unless they accept the situation. Only then can your agents hope to restore Peace, Happiness and Prosperity to our Section.

HENRY N. BROWN.

[Butler Papers, Library of Congress, filed under date of March 1, 1877.]

Hillsboro N. C. March.13th 1877.

Hon B. F. Butler.

You asked me the condition of the republican party here South. they seem. to be very well pleased. with the new administration I dont think it will diminish the strength of the republican party I canvased [*sic*] the county. 4. months During the campaign I wish you would do the best you can for my son. he has been Teaching Public School. 4 years. in this county. When I canvased [*sic*]. the county I canvassed on my own expenses. I would like for you to get the office of A clerk for him if you could. The Democrats has control of this county & because my. son took Part in politics the School committee. would not allow him but half his wages. the conversation I had with you About the Poor Republicans of orange. , Brown, & Strayhorn.[194] I would like for you to do the Best you can for them they have the confidence of both Parties.

Yours,

Lewis Jenkins[195]

Hillsboro Mar 13" /77

Hon. B. F. Butler

Sir.

As I promised to write you the Temper of my section, permit me to say there is a Doubt & dread- There is no doubt the Gov has spoilt [*sic*] this people with kindness- and there are as honest men in our party who have not been produced for in any way is a fact The old Whigs here would not aid reconstruction leed [*sic*] against every thing the Party proposed- we have in this section tried to split the opposition by using

[194] There were several Strayhorns in North Carolina at this time with more than one living in Orange County. Battle, *History of the University of North Carolina,* I, 828, 874.

[195] The editor has failed to identify Lewis Jenkins.

any one we could get to offer as independent- as yet we have little to show except the people are tired and dissatisfied and in fear & dread-

Enclose you have the case of Mr Brown & extract from Dem^{t} Paper-M^{r} B has been our Candidate for the Senate in district which had 1000 majority against him he reduced it to 250 and we think he can now cary the district-

We say he is the only man the opposetion [*sic*] endorse as a Republican from princepol [*sic*] and who had at all times in their estimation sacrofised [*sic*] for His party-and today they look upon as the Honest Republican-

If you could give us any information of any change that may be made- where our interest in M^{r} B would be best promoted in placing him in service of our county we have the pledges of - Judges Settle & Dick[196] & T.B.Keogh to give him such an endorsement [*sic*] for Honesty-Capacity- & worth as they say they would for few men in our State-Samuel Phillips Asst At Gen is from our county and knows our friend Brown. The point we make is from 1860 today he has stood up for the Union-and has been the center of the attacks of the opposition as he was & is a man who has sustained a christian character amidst all the tryal [*sic*] through which he has went- we trust you will let us hear from you and that we may be of some service to the best interest of our party

Yours Respectfully

Louis. Jenkins[197]

This is confidential

South Mills N C

July the 4 / 77

Hon. BenJ.. F Butler

Dear Sir

The Dismal Swamp Canal[198] will be sold on the 9th day of august 1877

I. would.Like to. own Some interest in. This. Canal. but as. I. am. not able to to [*sic*] purchsse unless it. was sold by. shares. I. write to you. to. ask your advice, in. regard, to. the. Sale. of the. Canal, I would , attend , the .Sale & bid, the ; Canal. off. if, you would. Like,

[196] Robert Paine Dick (October 5, 1823-September 12, 1898) graduated from the University of North Carolina in 1843; was admitted to the bar in 1845; and practiced at Wentworth and later at Greensboro. He was Federal district attorney from 1853 to 1861; worked for Douglas at the Charleston convention and at Baltimore; won for him 1,500 votes in North Carolina; voted for secession in the state convention; was a member of the council of state in 1862; worked for Holden for governor in 1864; and was elected to the state senate as a peace senator. He went to Washington and urged Johnson to establish governments in the South on the basis of the Sherman-Johnston agreement. Johnson made him a Federal judge, but he declined on the ground that he could not qualify under the Fourteenth Amendment. He went over to the Radical Reconstruction party in North Carolina; was on the state supreme bench from 1868 to 1872; and then became a Federal district judge, making an excellent trial judge. *Dictionary of American Biography*, V, 287-288.

[197] It is presumed that Louis Jenkins was the father of Lewis Jenkins of the preceding letter.

[198] Benjamin F. Butler must have fallen for John O. Kelley's plan for he took an interest in this canal and became president of the company. The company was given a joint charter on December 1, 1787, by the legislatures of North Carolina and Virginia. It was opened to

to, own, it, .I, think, it will, Sell, at, a, Low, figure, if you will let , me, heare [*sic*],from, in, time, &, it, would be, of interest to, you if you desire, to, purchase, as I,am, Liveing [*sic*]. at the South End of the Canal only 30 miles from Norfolk, va, & as, they would Suppose that, I , Could , not. Comply. if . I.wone[*sic*].to. bid . it . off. I. think. I Could purchase it, verry [*sic*], Low. I am a Stranger to you I only no [*sic*] . you, by, reputation but if you will rely on me I Can & will throw a bargaine [*sic*] in.,your, hands, &, will., rely, on, your, Generositey [*sic*] to Compensate . me, fore [*sic*], the Same, in, the, future

truly yours &c

John O Kelley.

Be, Shure, [*sic*] & Let , me. hears [*sic*] from, you. on , the. receipt, of this.Letter.I. am. Shure [*sic*] that the - Canal. will sell, Low, the united states Goverment [*sic*] owns two fifths I suppose that they Will Continue to still hold thare [*sic*] interest I remaine [*sic*] truly
your OBediant [*sic*] servant, & C C John O Kelley

To Hon Benjamin, F. Butler, M C
Washington D C

[No date,Rec'd Nov. 11, 1877]
Sunsberry Gates, N C

Honorable. B.Butler

Dear Sir

I am the widow of . W. E. Vaughn, who was formerly a Citizen of Pasquotank County N Carolina. During the war my husband had Twenty eight hundred dollar's worth of cotton which was captured by your orders, and that was all that he had He was a Superior Court Clerk for a number of years, and we managed to get along; but when he failed to get the office any longer, he moved to Washington and there tried to get into business or work and could only get a situation on the *George-town* Navy Yard Street Cars and the exposure was so great that he died on the 9th last March leaving me with a family of small children and utterly destitute of the means of a support I tried to get work in Washington but failed; and by the assistance of friends I came back to N Carolina and here have tried for work and cannot succeeed My family is now in a Suffereing condition, and having heard of your charitable and generous nature, now as an honorable gentleman I beg of you to aid or assist me in some way, for the chilling winds of adversity is howling bitterly around me, and only one comfort to solace my grief that is our Heavenly

---

navigation in 1822, wholly finished in 1828. It was built with the assistance of the Federal government and the state of Virginia at a cost of $1,800,000. It was originally thirty-two feet wide and four feet deep and later increased to forty feet wide and six feet deep. For years it was the principal means of communication between the North and South and was very profitable. After the Civil War its usefulness decreased; it was reconstructed in 1899; and now it extends from Deep Creek, Virginia, to South Mills, North Carolina, a distance of twenty-two miles. Recently it has become a part of the chain of inland water ways between New York and Florida. *Harper's Encyclopaedia of United States History,* vol. III; report of W. I. Halstead of Elizabeth City and South Mills.

Father has promised to be a father to the orphan &c my heart is too full of grief to write , but my little children are so *near* & *dear* that I ten thousand times rather suffer than to see them suffer in their helpless state- for further information I refer you to Mr. Hurt the president of the George-town Navy yard Street-Cars also to Col. W. Martin, Judge Brooks,[199] & the Solicter [*sic*] Whidbee all of Elizabeth City N Carolina

Yours Respectfully
Claudia. V. Vaughn[200]

[199] George W. Brooks was born in Pasquotank County, North Carolina, on March 16, 1821; picked up an education in the schools of his section, especially at Friends Academy of Belvidere; was admitted to the bar in 1844; began to practice in Elizabeth City; served in the assembly in 1852; in the convention of 1865-66; opposed the war and took no part in it; was United States district judge for the whole state from 1865 to 1871, and then for the eastern district; and made an excellent record even if the bankruptcy act and internal revenue cases did greatly increase his duties. When Chief Justice Pearson feared to undertake to coerce Holden in the Ku Klux cases in North Carolina, Dick had no such fears and on August 6, 1870, he issued an order commanding Kirk to present his prisoners at the bar of justice in Salisbury within ten days. Attorney General Ackerman urged Holden to yield, which he did. When Brooks returned to Raleigh, he was carried on the shoulders of men as the savior of their freedom. *National Cyclopaedia of American Biography,* VIII, 167-168.

[200] The editor has been unable to identify Claudia V. Vaughn.

BOOK REVIEWS

RECORDS OF THE MORAVIANS IN NORTH CAROLINA, VOLUME VI. Edited by Adelaide L. Fries. (Raleigh: The North Carolina Historical Commission. 1943. Pp. 2451-3017.)

The German-speaking Protestant sect *Unitas Fratrum*, better known as Moravians, is one of the most interesting and vital of the several such religious groups which sought a haven of refuge for their practices and beliefs in the America of the eighteenth century. Contrary perhaps to the general impression, Pennsylvania was neither the original nor the sole place of their settlement and work. The Moravians came originally to Georgia in 1735 and five years later moved to Penn's province and founded Nazareth and Bethlehem.

In 1752 the Bethlehem Moravians sent a party led by Spangenberg to found a settlement in North Carolina. This is the basis for publications on the Moravians by that state, which became a center for the activities of the Brethren throughout the South. At Wachovia they developed in the closing years of the eighteenth century and the early decades of the following century a center for the practice of their peculiar social and economic theories. Following their distinctive practice in Pennsylvania, missions were quickly put into operation. These included home missions and work among the Cherokee and Creek Indians in neighboring Georgia. As usual, these North Carolina Brethren kept a careful and detailed record of everything they did as well as much that went on about them such as the weather. Would that more people, both past and present, were possessed of the same zeal for records.

It is from these records in the Salem Moravian Archives in Winston-Salem that the published materials are drawn. This particular volume, sixth in a series, covers some fifteen years, beginning in 1793 and concluding in 1807. The editor is Archivist of the Moravian Church in America, Southern Province. Part I is devoted to a brief sketch of the rise and progress of the settlement from 1749 to 1794. Part II contains memorabilia, diaries, and minutes. The concluding section pertains to miscellaneous archival fragments ranging from part of a 1771 diary concerning the Regulators to an interesting 1807 inventory of Salem Tavern. Eight well selected illustrations add value. The book is neatly printed and well constructed in the fashion one

has become accustomed to expect in publications of the North Carolina state historical agency.

The material is an important contribution not merely because it deals with the Moravians but because of the variety and extent of their work and the nature of their economic and cultural institutions. Problems connected with payment of quit rents, remittances to Pennsylvania, notes on the weather, crops, building and trade regulations, national and international affairs, vie with the spread of missions, church organization, meetings, and regulations for interest in this rich assemblage of source material. The Salem and Bethabara diaries and Salem Board minutes are especially interesting. The selection of material by the editor has been excellent. It is a volume of source material of more than usual interest and value. North Carolina is to be congratulated for undertaking the series and this particular volume is especially worthy of commendation as to content and editing.

S. K. STEVENS.

PENNSYLVANIA HISTORICAL COMMISSION,
HARRISBURG, PA.

MR. RUTLEDGE OF SOUTH CAROLINA. By Richard Barry. (New York: Duell, Sloan and Pearce, Inc. Pp. ix, 430. $3.75.)

In this volume Mr. Barry makes a valiant, and on the whole successful, effort to rescue a great South Carolinian from a comparatively obscure place in American history. In preparation for his task he has made a more exhaustive investigation of the sources than any previous writer on the subject and has written a story which in literary excellence leaves little to be desired. He has frankly dramatized, and to some extent fictionalized, a wealth of inherently interesting material. The result is a most entertaining book. Unfortunately, however, an otherwise strong case has been greatly weakened by extreme and unproved claims for the influence of John Rutledge on the history of his times. After reading the book one feels that Mr. Barry, by a few changes, could have produced a really great historical novel, and on the other hand might have written, perhaps in collaboration with a judicious historian, a definitive biography. As it stands, the book is neither. In justice to the author, however, it should be noted that his declared purpose is to paint a picture of Rutledge and not to write a history of the period.

There are some errors of simple fact. Orangeburg is not two hundred miles north of Charleston nor could Rutledge have

covered such a distance in one day (p. 244). Prime Minister Grenville was hardly a Tory and the purpose of the Stamp Act was not to pay the cost of the French and Indian War (p. 94). One is surprised to find John Dickinson described as an outspoken advocate of American independence in 1765 (p. 114). The South Carolina delegation at Philadelphia was not in opposition to a declaration of independence on July 2, 1776 (p. 218). Charles Town first became Charleston by incorporation in 1783 and not by the resolution of the assembly in 1787 (p. 303). The "Articles of Secession," as the secession ordinance is called, was not signed in St. Andrews Hall although it was passed there (p. 313). Such errors (and there are others) are perhaps of little consequence. More serious are the ingenious but exaggerated claims of controlling Rutledge influence on the great events of the Revolutionary era.

According to Mr. Barry John Rutledge became a dominant force in South Carolina history almost from the time he returned to Charles Town in 1760 at the age of twenty-one after completing his legal education abroad. Not only was his success at the bar brilliant and immediate but also "from about the end of 1761, South Carolina was ruled for nearly fifteen years" by a triumvirate composed of John Rutledge, James Parsons, and Colonel Charles Pinckney. These three not only got "all of the important law business" but also "directed the assembly, controlled the Governor, and dominated the Courts." They quietly and anonymously pulled the strings which ousted Governor Boone and Chief Justice Skinner, reformed the courts, and directed political affairs in general. This is an interesting theory but not sustained by the evidence.

The influence of Rutledge outside South Carolina has also been overstated. As author of the memorial to the House of Lords, he is said to have "caused George III to repeal the Stamp Act." As Chairman of the Committee on Constitutional Government in the Second Continental Congress he was mainly instrumental in outlining the new state governments. It was through his deft manipulation that Washington was chosen commander in chief. He made available to Jefferson a copy of Drayton's address to the grand jury and so made it possible for Jefferson to copy seven or eight phrases from it into the Declaration of Independence, notably the one declaring all men are created free and equal. Although without military experience Rutledge vastly

influenced the military operations of the American Revolution. In fact from his key position as South Carolina dictator after the fall of Charleston he was able to solve the problem of how to win the war although in accomplishing this he had to teach the generals "the rudiments of their own craft." Finally at Philadelphia in 1787 he was "the man who wrote the Constitution."

Mr. Barry has succeeded in marshalling much evidence to show that John Rutledge played a considerably more prominent role in American history than has usually been ascribed to him. It is a pity that the study should have suffered so greatly from overstatement.

C. E. CAUTHEN.

WOFFORD COLLEGE,
SPARTANBURG, S. C.

WILLIAM PRESTON JOHNSTON. By Arthur Marvin Shaw. (Baton Rouge: Louisiana State University Press. 1943. Pp. ix, 299. $3.00.)

It is a common error to over-emphasize the importance of the spectacular. The historians cannot plead exemption. The brigadier-general who captures a battery or storms a height becomes better known than the major-general in charge of the entire commissary of the army—that despite the fact that an army "fights on its stomach." And a scholarly, idealistic gentleman who helps to found a great university—a beacon light for knowledge and truth—wins less recognition than a daredevil airman, a champion boxer.

Louisiana State University and the individual authors enlisted are deserving of commendation for their successful efforts to present a balanced history of the South, emphasizing the contributing factors in the various fields. William Preston Johnston, the subject of this biography, was the son of General Albert Sidney Johnston but did not rest on his father's laurels. Another Southerner with an honorable Civil War record, he did not end his career with that but developed it in other fields more suited to his special talents.

William Preston Johnston was born in Louisville in 1831. He followed the tradition set by such Southerners as John C. Calhoun and Judah P. Benjamin in attending Yale (many Americans, from North or South, would be better rounded if they got part of their education elsewhere), then he practiced law in Louisville, that busy Ohio River entrépôt of the fifties, and served in

the Confederate Army as an aide to Jefferson Davis, his poor health having soon barred him from more active service. Johnston was a somewhat solemn and serious youth, just as he was a man. As a fledgling student at the Kentucky Military Institute we find him advising his younger sister:

> Preserve your health and if possible improve your constitution, to do this you must rise early, and take regular and constant exercise—when the ladies, from want of exercise, become sallow, they adopt rouge, as a substitute for a good complexion; it makes about as good a substitute as whiskey.

But Johnston was a courteous, charming Southern gentleman of the old school; he was able and conscientious and has to his credit an impressive list of accomplishments as soldier, writer, and, above all, pioneer Southern educator. Dr. Shaw, long-time teacher and administrator at Centenary College, has written a careful and illuminating treatment of his subect; he has developed some material long crying for attention by the Southern historian.

There is an interesting treatment of Johnston's career through the end of the Civil War, though this reviewer could not read with enough zest genealogical minutiae such as are given for the Johnstons and Prestons. As a Southerner, Dr. Shaw deserves all the more credit for not over-emphasizing Johnston's military career. Yet he could have used the war records and other available sources to reveal more about the significance of Johnston's war service, particularly as a laison officer for Jefferson Davis. And, similarly, Dr. Shaw leans too heavily on a few books for his account of Johnston's work as a professor at Washington and Lee University.

But these are minor criticisms. The greater part of his scholarly and on the whole well-documented biography Dr. Shaw properly reserved for treatment of Johnston's achievements in writing his father's biography, as president of Louisiana State University in some difficult years, and as president of Tulane University. As the first president of the new university, founded in New Orleans with Paul Tulane's generous benefactions, Johnston gave to it a stable character, a sound progressivism which did much to assure its future. He also secured the large endowment from Mrs. Josephine Louise Newcomb for a new college, to say nothing of his efforts for other worthy causes, some of national scope. Dr. Shaw presents an appealing picture of this transitional figure of the Confederacy, who later, despite poverty

and at times almost prostrating illness, turned his face to the future and labored well for a better South.

ROBERT D. MEADE.

RANDOLPH-MACON COLLEGE,
LYNCHBURG, VA.

JOURNAL AND LETTERS OF PHILIP VICKERS FITHIAN, 1773-1774: A PLANTATION TUTOR OF THE OLD DOMINION. Edited by Hunter Dickinson Farish. (Williamsburg, Va.: Colonial Williamsburg, Incorporated. 1943. Pp. xlv, 323. $4.00.)

Not only the student of history but everyone interested in reading about life at its best in any period will welcome with enthusiasm this lively account of the everyday life of a well-to-do family of the Golden Age of the Old Dominion. An original edition of Fithian's journal published by the Princeton Historical Association in 1900, though used by some historians, has not been generally accessible. This new edition includes sections of the journal and several letters written by Fithian omitted from the first edition and a number of letters written to Fithian which throw light upon Virginia at the eve of the Revolution. It also contains a catalogue of the library of Robert Carter III compiled by Fithian and an illuminating introduction by the editor.

Philip Vickers Fithian, a young Princeton graduate and ministerial student, in October, 1773, came to "Nomini Hall," country seat of Robert Carter, a member of the Virginia Council and one of the wealthiest and most influential planters of Tidewater Virginia. During the following year he was a member of the family and served as tutor to Councillor Carter's two sons and five daughters and a nephew.

Having been brought up strictly, Fithian had hesitated about accepting the position in Virginia lest he be "carried away with the Vices which prevail in that Country." But while he found life among the Virginians quite different from that to which he was accustomed, he was a remarkably unprejudiced as well as a keen observer. He was genuinely interested in every person and every phase of life at "Nomini Hall" and set down his impressions freely and spontaneously. He described at length the manor house with its appendages and grounds, orchards and gardens; the personal appearance and character of each member of the Carter family, and the daily schedule of activities of the household, and wrote with charming detail of the studies and pranks of the children

under his care; of illnesses, food, drink, and conversation; of christenings, boat races, fish feasts, and of the dancing schools and balls in the neighborhood.

No fashion editor could have dealt more adequately than he with the intimate details of the costumes of the young ladies who attended a dancing school at "Nomini Hall" and of a neighborhood belle just arrived from England. Sharing the family's unusual interest in music, he noted with pleasure the coming of the music master and frequently wrote of spending the evening at "the Great House hearing the various instruments of Music." He walked with Mrs. Carter in her garden and observed her asparagus beds and apricot and fig grafts and noted that cowslips and violets were in bloom and accompanied Councillor Carter to his merchant mill, where the ovens baked a thousand pounds of flour at a heating. He noted the arrival of the new coach, "a plain carriage, upper part black, lower Sage or Pea-Green," and the boat made to carry the ladies to Nominy Church, "a light neat Battoe elegantly painted and is rowed with four Oars." He was surprised at the suckling of white children by Negro wet nurses and the custom of firing guns at Christmas, wondered at the fashionably short sermons and the custom of conducting private business at church after services, and was shocked at the loose family relations and the inadequate rations, cruel punishment and other ill usage of the slaves.

Every page of the journal is alive with vivid detail. So full of colorful impressions is it that it can be read and re-read with pleasure. For the student of history it offers invaluable materials and for the general reader delightful entertainment.

JULIA CHERRY SPRUILL.

WASHINGTON, D. C.

CONFEDERATE MISSISSIPPI: THE PEOPLE AND POLICIES OF A COTTON STATE IN WARTIME. By John K. Bettersworth. (Baton Rouge: Louisiana State University Press. 1943, Pp. xi, 386. $3.00.)

This volume is really a series of essays on various aspects of life in Mississippi during the Civil War. It is the work of a professional historian and is based on research in various university, state, and national archival depositories. The job has been done with painstaking care and will not have to be done again. The picture drawn by Dr. Bettersworth will probably not meet the full approval of local patriotic

groups but on the whole—despite evidence of contraband trade in large volume, desertion in considerable numbers, and disloyalty in certain areas—he leaves intact the conventional concept of a gallant people and a losing struggle.

Among the topics treated are the secession movement, the outbreak of the war, state government under the stress of war, wartime finance, agriculture during the war, efforts to develop manufacturing, efforts to attain self-sufficiency, trade with the enemy, dissent and disloyalty, breakdown in standards of living and culture levels, religion and the war, effects of the war on education, and literary pursuits. As these topics are closely connected and interrelated, there is necessarily much repetition. Some repetition, however, is not necessary, as for example on page 260, where we are told twice that the state gave a bonus of $5.00 for every confederate deserter returned by a civil officer, the footnote in both instances referring to the same source.

This reviewer ventures to think that the value of the book would have been enhanced, perhaps, if there had been an additional chapter on the political, economic, and possibly military significance of Mississippi to the Confederacy, and a final summarizing chapter which might have served to bind the essays into a more unified whole. However, it is easy for a reviewer to make plausible but impracticable suggestions. The book is a fine contribution to the history of the South for which the author is to be congratulated and thanked.

CECIL JOHNSON.

THE UNIVERSITY OF NORTH CAROLINA,
CHAPEL HILL, NORTH CAROLINA.

CALENDAR OF MARYLAND STATE PAPERS, NO. 1, THE BLACK BOOKS. By Elizabeth W. Meade, Emil Fossan, Roger Thomas. (State of Maryland: Publications of the Hall of Records Commission. 1943. Pp. viii, 297.)

Like many another colony and state, Maryland has been careless of her official records until relatively recent years. Many papers inventoried in 1835 had disappeared by 1861. Ten bundles of loose papers, containing nearly 1600 items on the proprietary and royal period, were segregated in the latter 1860s. They were eventually repaired and bound into twenty volumes in black; hence "The Black Books," which came into the custody of the Hall of Records in 1936. The present Calendar, unlike the arrangement of the documents, is a strict chronological list with consecutive numbering of

each item accompanied by volume and page reference to the original manuscript. At the end of the Calendar is a finding list, in which the Black Book numbers are given consecutively by volume and document, with corresponding calendar numbers, to assist the user.

Beginning with three seventeenth-century papers, the documents run from 1702 to 1785, the largest number being in the decades 1740-70. They include a wide variety of official records—legislative and executive messages and communications, court proceedings, letters, petitions, accounts, bonds, depositions, proclamations, lists of taxables, etc. The form of calendar entry is logical and concise, in the following order: date (in the margin) ; author or office of origin and addressee; summary of content; type of document, whether signed or unsigned, number of pages and size in centimeters; lists of signatures and names mentioned; endorsements or notes on the back; and citations to printed items in the *Archives of Maryland* and the *Maryland Historical Magazine.* Cross references by item numbers are also provided. How much detailed analysis of content should appear in a calendar is always open to argument. In my opinion the editors have erred in that overabundance which tends to encourage the idea that the calendar is or should be an adequate substitute for the original manuscripts. If the calendar can indicate conclusively to the user which materials he need not examine, it will complete its purpose by affording him only enough data to determine which manuscripts he ought to read. That he may be in doubt at that point is not necessarily a reflection on the work of the editor. In the present case many of the entries could have been condensed without impairing their prime value.

The usefulness of this Calendar is greatly enhanced by the index to personal names and places, but names of ships and estates, both closely associated with Maryland history, were not included. A separate subject index contains, according to the compilers, "only such topics as receive the greater part of the discussion in the original papers." The extent to which this criterion was applied is open to doubt when one finds some entries with only two or three references, such as Baptists, concealment of arms, disloyalty to the king, Quakers, recruiting; yet no entries appear for other matters more extensively discussed, like debts, imports, imprisonment, land laws,

tobacco shipment. This index is designed more for the archivist's interest in provenance than for the historian's interest in a diversity of subject matter. The latter will find it necessary in most cases to scan the Calendar page by page throughout.

This Calendar with its indexes provides both more and less than we may be justified in expecting. It greatly facilitates the study of Maryland colonial life and records of the eighteenth century and we look forward to the publication of subsequent volumes in this series by Archivist Morris L. Radoff and his staff.

LESTER J. CAPPON.

THE UNIVERSITY OF VIRGINIA,
CHARLOTTESVILLE, VA.

JUDAH P. BENJAMIN: CONFEDERATE STATESMAN. By Robert Douthat Meade. (New York: Oxford University Press. 1943. Pp. ix, 432. $3.75.)

A fresh study of Judah P. Benjamin, reputed "Brains of the Confederacy," has long been overdue. With the exception of one ill-fated work of a few years ago, no full-length portrait of Jefferson Davis's smiling and capable confidant has been presented since the publication in 1906 of Pierce Butler's life of the Louisiana statesman. The rub has been the dearth of material, for the secretive Benjamin destroyed his personal papers.

Fortunately there was a considerable mass of material that was beyond the ken of his obliterative designs. From a careful study of extant Benjamin papers, some of which were retrieved from obscure places, and of collateral materials, Robert D. Meade has developed a new treatment of this remarkable character and the milieu in which he moved. A good part of twelve years was spent in the research and writing.

Professor Meade traces interestingly the youth of Benjamin in the Carolinas and at Yale. Unfortunately he is not able to unravel the mystery of Judah's sudden exit from the Halls of Eli, but he does present some new angles for consideration.

In appraising Benjamin's subsequent career as a Louisiana politician, Professor Meade finds that he was often moved by expediency as much as by principle. He shows, for instance, that while Benjamin was no ardent secessionist, he did not hesitate to climb aboard the band wagon of separation after the hotheads had set the wheels in motion.

The author has a high regard for Benjamin's work as Confederate cabinet member, though he is convinced that a man of the Louisianan's capabilities should have been given a more useful initial rôle than that of Attorney General. He finds that Benjamin accomplished wonders in reorganizing the War Department and making it function efficiently, but he admits readily that the alienation of Joe Johnston and other army bigwigs was due largely to the War Secretary's lack of tact and ignorance of military customs. Benjamin was admittedly responsible to some extent for the Roanoke Island disaster, but Professor Meade feels that the wave of unpopularity which deprived him of the War portfolio was due more to the times than to any delinquency on Benjamin's part. The author presents Benjamin as a hard-working and unusually capable Secretary of State, but he censures him for his undue reliance on the prospect of European recognition.

Professor Meade traces with keen relish Benjamin's remarkable career as an English lawyer. Certainly the rise of this middle-aged American from bencher to barrister is a few months, and in a dozen years from an impecunious apprenticeship to highest ranking membership in the English Bar with annual fees exceeding $75,000, offers incontrovertible proof of the man's genius and adaptibility.

The tone of Doctor Meade's study is restrained. He weighs his evidence carefully. He attempts to develop no case for or against his subject, but tries simply to present him as he was, in both his favorable and unfavorable aspects. The study contains a few mistakes—such as the erroneous initialling of Wm. H. Russell (p. 107), and the adding of an *e* to the name of Governor Clark of North Carolina (pp. 198-199) —but these are inconsequential slips in a work that is outstanding for accuracy.

The only serious shortcoming of the book is its failure to reveal more of *man*. But this is chargeable to Benjamin's secretiveness. The data for a full flesh and blood portrait is simply not available. With the material which his commendable industry uncovered, Professor Meade has done a solid and a praiseworthy job. It seems not unbecoming to call his work definitive.

BELL IRVIN WILEY.

UNIVERSITY OF MISSISSIPPI,
UNIVERSITY, MISSISSIPPI.

THE SWORD WAS THEIR PASSPORT. A HISTORY OF AMERICAN FILIBUSTERING IN THE MEXICAN REVOLUTION. By Harris Gaylord Warren. (Baton Rouge: Louisiana State University Press. 1943. Pp. viii, 286. End maps. $3.00.)

Students of the borderlands in the days of the Mexican war of independence have usually found that writers on filibusters have passed over the epoch and come to rest on mid-nineteenth-century characters like William Walker. To do this a half-dozen famous expeditions had to be shouldered aside. Schroggs' *Filibusters and Financiers,* to which many of them have been led, is a good example. It is this deficiency which Mr. Warren was trying to make up when he prepared *The Sword Was Their Passport.* While this title is colorful and fits into the current tendency to give each new book a title more arresting than the last, it also means that the title does not, except in the secondary part, convey any idea about the book. After all, Prescott did not appear to be under any necessity of concocting a catchy title. Be it said on Mr. Warren's behalf that his secondary title is fitting and that an apt quotation was almost more than any man could resist.

The book actually covers American filibustering in Mexico from the beginning of the Gutiérrez-Magee expedition in 1811 to demise of the Long Republic of Texas in 1821. Some of these stories have already been told well (a few by the author himself), some have been slurred over, and some have hardly been touched. Mr. Warren's contribution, therefore, is twofold: he synthesizes the whole story and pieces out the little-known features. Parts which are especially his own are the sections taking up the life of José Alvarez de Toledo y Dubois, whose chameleon career was for a time blended with intrigue in the United States, later with the Gutiérrez-Magee expedition, and finally with mother Spain—if indeed it ever parted from her. The author's discussion of the plot of the French exiles to take Napoleon off St. Helena and carve out an American empire for Joseph makes a small but distinct contribution to American history. To do this it was necessary for him to go beyond such works as Reeves' *Napoleonic Exiles* and to draw upon the many unpublished documents in this country. In these chapters Mr. Warren demonstrates the great labor which he has brought to the collecting of material for this book. His canvass of possibilities in the United States is as complete as any reasonable critic could expect. There are many references to reproductions of documents originally

found in the Archives of the Indies and other European depositories. The Spanish archives, it must nevertheless be remembered, have never failed to supply an investigator with something important after all the possibilities in the transcripts had been exhausted in this country. This is not to complain about the painstaking documentation upon which the author has depended in these years of exclusion from Europe, but to remind ourselves that even in the best circumstances there is no absolutely satisfactory substitute for the original archives.

The conclusion of this book is very suggestive. It dispels the retrospective wishful thinking in which Americans have engaged when they imagined that the United States did anything substantial as a nation for Mexican independence. It also calls attention to the fact that this book rescues the Lafitte brothers from the "sentimental nonsense" to which fiction and the moving pictures have consigned them. It was also a relief to see the author finally shake free of his citations, his qualifications, his parentheses, his quotations, and lift his literary style up to the plane where it must be if it represents the writer and not the handbook of historical method. This book represents a good, thorough, painstaking compilation of available information on the filibusters during the Mexican war of independence. Those libraries and historians concerned with border history and international relations will not want to be without it.

JOHN TATE LANNING.

DUKE UNIVERSITY,
DURHAM, N. C.

THE PROBLEM OF FEDERAL FIELD OFFICE RECORDS. (Washington: The National Archives. Miscellaneous Processed Document, 43-9. January, 1943. Pp. 31.)

The four papers constituting this work were read before the opening session of the sixth annual meeting of the Society of American Archivists in Richmond, Virginia, October 26, 1942. They present a comprehensive, objective analysis of the complex and increasingly important problem of administering the widely scattered field office records of the Federal government. There is general agreement that the field records are valuable, that they have an organic relationship to the central departmental records, and that their preservation and administration may be greatly facilitated by microphotography.

The leading eighteen-page paper by Oliver W. Holmes, Director of Research and Records Description, The National Archives, keenly describes and analyzes the problem of federal field records and presents objectively the advantages and disadvantages of three systems or plans for their care: first, regional depositories; second, depositories in each state, perhaps under some form of federal-state coöperation; and third, centralization of all federal records in Washington. None of these systems emerges from Mr. Holmes' analysis as the best. So impressed is he by the complexity of the problem and the disadvantages of each system that he is inclined toward temporary concentration stations where careful study and work over a period of years might bring about the arrangement of the final body of records deserving permanent preservation and provide knowledge and experience for a wiser decision as to the final system of administration—centralization in Washington or permanent regional depositories, or perhaps a combination of the two systems.

William D. McCain, Director of the Mississippi Department of Archives and History, is "constitutionally, fundamentally, and otherwise opposed to the general proposition of centralization" but is willing to "accept Mr. Holmes' fine suggestion that we put these field records of federal agencies in temporary warehouses until we make up our minds—until we can give further study to the three suggested solutions."

Captain Jesse S. Douglas, of the office of the Director of Records, The Adjutant General's office, vigorously champions the centralization of all military records in Washington.

Richard B. Morris, associate professor of history, College of the City of New York, opposes the centralization in Washington of such categories of federal archives as the records of customs houses, immigration, and naturalization, the Tennessee Valley Authority, and the federal courts. As a practical and immediate program, he favors the establishment of temporary storage depots in "nine or a dozen key cities of the country." Pending ultimate decision as to permanent housing, "let us get the historical materials out of the busy federal agencies in the States and into places of safety."

A. R. NEWSOME.

THE UNIVERSITY OF NORTH CAROLINA,
CHAPEL HILL, N. C.

BRITISH WEST FLORIDA, 1763-1783. By Cecil Johnson. (New Haven: Yale University Press. 1943. Pp. ix, 258. $3.00.)

Specialists in American colonial history who frequently lament that "the field is worked out" might well ponder over this fascinating study which was originally undertaken as a doctoral project at Yale University under the direction of Professor Charles M. Andrews.

West Florida *per se* was, of course, one of Britain's least important American possessions, but it was created by royal proclamation in 1763 as part of a carefully conceived project for administering the vast territories gained through the French and Indian War and attains peculiar significance when viewed in proper perspective as an integral portion of the whole British structure preceding the Revolution. It is, indeed, no exaggeration to state that imperial politics marking the era between the two struggles cannot be understood without giving West Florida due consideration. If its loss to Spain in 1781 occasioned little concern, this arose through the fact that circumstances which once lent it great lustre from the imperial point of view had ceased to exist. The neglect accorded the colony heretofore is not a little strange and students of New World and of British colonial history alike will welcome this exhaustive monograph which now, for the first time, sets forth the whole intriguing story in a delightful manner.

The gulf lands received from the French and the Spaniards in 1763 were divided into East and West Florida with the Chattahoochee and Appalachicola rivers forming the boundary line. The latter colony extended westward to French territory and up from the coast to a line running east from the juncture of the Yazoo and the Mississippi rivers and was thus some 375 miles long and 150 miles wide. Unlike the country above it, which was set aside as an Indian reserve, West Florida was thrown open to settlement on attractive terms and royal civil government was soon instituted. It is interesting to note that, because of sparse population, the West Florida budget was strengthened by annual parliamentary grants. This was, of course, a marked departure from the norm and rendered the governor largely independent of the assembly.

The drab routine of provincial politics was varied by undignified controversies between civil and military authorities, by misunderstanding between the British and "friendly Indians"

(Creeks, Choctaws and Chickasaws) and by unsuccessful attemps to tap the lucrative Spanish trade through legal channels. Thanks to the vigorous action of George Johnstone, the colony's first peace-time executive and a highly picturesque character, a settled community rapidly took shape and proved capable of withstanding the shock of sudden changes in administration and of an undue amount of internal turmoil.

As usual in a royal province, the assembly sought constantly to whittle down the governor's power but was greatly hampered by the latter's financial freedom and by the fact that the small population yielded but few really able delegates. The body was, nevertheless, able to hold its own at all times and, on several occasions, enjoyed signal triumphs. Interestingly enough, while habitually at odds with military leaders and judicial officers, Governor Johnstone enjoyed cordial relations with this elected body and worked in complete harmony with it. The assembly's disregard of imperial policies is mirrored in the Privy Council's disallowance of substantially a quarter of all legislation passed.

A basic difficulty attending settlement arose from the fact that forty-five large grants embracing much of the best land in the colony were made to notables at home, half of whom failed to develop their holdings. Individuals on the spot were, perforce, obliged to accept inferior parcels, which fact, coupled with high fees and speculation by crown officials, caused intense discontent. So great was the attraction of the Mississippi that the colony faced west economically from the outset and the influx of Loyalists seeking lands along the great river after 1775 merely lent emphasis to an irresistible force already operative for more than a decade. The commingling of Spanish, French, German, and British settlers gave birth to a cosmopolitan society marked by a broad outlook and marked tolerance. While the Church of England was officially intrenched, no Anglican edifice appears ever to have been erected.

The author's deft handling of widely scattered and often fragmentary material, his pleasing style, two maps by Lucia Porcher Johnson, a meaty bibliographical section, and an excellent index all merit special mention. A worthy project, superbly executed in every detail!

LOWELL RAGATZ.

THE GEORGE WASHINGTON UNIVERSITY,
WASHINGTON, D. C.

HISTORICAL NEWS

From February 17, 1942, when the first vessel was delivered, to August 28, 1943, when the last one was turned over to the United States Maritime Commission, the North Carolina Shipbuilding Company at Wilmington delivered a total of 126 Liberty ships. Each vessel was named for a person who had figured in American history, especially the history of North Carolina and South Carolina. The names of the vessels are as follows: Zebulon B. Vance, Nathanael Greene, Virginia Dare, William Hooper, Daniel Morgan, Francis Marion, Joseph Hewes, John Penn, John C. Calhoun, Charles C. Pinckney, John Cropper, William Moultrie, Thomas Sumter, Jeremiah Van Rensselaer, Artemas Ward, Edward Rutledge, Abel Parker Upshur, William Hawkins, Hugh Williamson, William R. Davie, William Gaston, William A. Graham, James K. Polk, Alexander Martin, Thomas Pinckney, Roger Williams, John Drayton, Richard Spaight, Samuel Ashe, Benjamin Williams, James Turner, Nathaniel Alexander, David Stone, James B. Richardson, Paul Hamilton, Henry Middleton, Benjamin Smith, Collis P. Huntington, Cornelius Harnett, Henry Bacon, Abner Nash, Joseph Alston, Paul Hamilton Hayne, Marshall Elliott, James Iredell, Penelope Barker, Alexander Lillington, Richard Caswell, Pocahontas, Christopher Gadsden, Betty Zane, James J. Pettigrew, Daniel H. Hill, George Davis, Walter Raleigh, John Harvey, Robert Howe, Nathaniel Macon, John Wright Stanly, Francis Nash, Ephraim Brevard, George E. Badger, Flora Macdonald, James Sprunt, Matt. W. Ransom, Furnifold M. Simmons, Edward B. Dudley, Willie Jones, James Moore, Alfred Moore, Woodrow Wilson, William D. Pender, William D. Moseley, David L. Swain, Jonathan Worth, Matthew T. Goldsboro, Elisha Mitchell, Christopher Gale, William L. Davidson, Walker Taylor, Roger Moore, Robert Rowan, Thomas W. Bickett, Horace Williams, Jose Bonifacio, Thomas L. Clingman, David Caldwell, Waigstill Avery, Cornelia P. Spencer, Walter Hines Page, Joseph A. Brown, Robert F. Hoke, Sallie S. Cotten, John Owen, Philip Doddridge, John Grier Hibben, Kemp P. Battle, Robert D. Owen, John P. Mitchell, Charles D. McIver, John M. Morehead, Hannis Taylor, Edward Richardson, William T. Barry, Lee S. Overman, Thomas J. Jarvis, Joseph LeConte, Arthur Dobbs, John Lawson, Hilary A. Herbert, Hutchinson I. Cone, Lawrence D. Tyson, David F. Houston,

John Merrick, Charles A. Dana, Richmond P. Hobson, Clement Clay, Thomas W. Owen, Chatham C. Lyon, James I. McKay, John N. Maffitt, George Durant, Augustus S. Merrimon, Montford Stokes, Thomas Pollock, and John Branch.

In September at San Francisco was launched the destroyer-escort USS *Whitehurst,* named in memory of Ensign Henry P. Whitehurst, Jr., of New Bern, who was killed in naval action in the South Pacific in 1942.

The large navy transport, USS *John Penn,* named for the North Carolina signer of the Declaration of Independence, was sunk in September off Guadalcanal during an attack by Japanese torpedo planes.

On September 24 the Banner Elk Presbyterian Church celebrated its 50th anniversary. The principal address was made by Reverend James C. Clark, minister of the Second Presbyterian Church of Uniontown, Pa.

The Patriotic Order of Sons of America held its forty-second biennial national convention at Charlotte, September 28. Dr. Clyde A. Erwin, state superintendent of public instruction, was one of the principal speakers.

At the convention of the United Daughters of the Confederacy at Columbus, Ohio, in October, Mrs. James Edwin Woodard of Wilson was elected president general, the first North Carolinian to hold this office.

A meeting of the members of the State Department of Archives and History was held in Raleigh on October 2. Routine business was transacted and the secretary reported that in spite of the war the Department was continuing to serve the people of the state in many ways and was in a strong position.

On October 3 Griers Presbyterian Church, in Caswell County, celebrated its 190th anniversary. It was organized in 1753 by Reverend Hugh McAden, pioneer Presbyterian minister, and was first called Upper Hyco Church.

On October 4 Governor Broughton appointed eight persons of Asheville and nearby towns, with Mr. Haywood Parker as chairman, to serve as a commission to preserve the house in Buncombe County in which Zebulon B. Vance was born in 1830. Appoint-

ment of the commission was authorized by the 1943 General Assembly.

Miss Frances Goodrich was the principal speaker at the annual Founders' Day exercises at Asheville College, October 5.

On October 5 a portrait of the late Mrs. Henry Weil of Goldsboro was unveiled in Mina Weil Hall at the Woman's College of the University in Greensboro. Mrs. Weil and her family were benefactors of the college.

On October 11 the restored assembly room on the second floor of the Chowan County Courthouse, Edenton, was opened and a portrait of George Monck, Duke of Albemarle, presented by Mrs. Inglis Fletcher, was unveiled. Mrs. Fletcher and Dr. Christopher Crittenden made brief addresses.

On October 12 the University of North Carolina celebrated the 150th anniversary of the laying of the cornerstone of Old East, its oldest building. President Frank Porter Graham of the University and President Harold W. Dodds of Princeton University delivered the addresses.

The North Carolina Division, National Society of the Daughters of the American Colonists, met in Statesville on October 12. This was the first meeting presided over by the new regent, Mrs. C. K. Proctor of Oxford.

The North Carolina Division, United Daughters of the Confederacy, held its annual convention in Statesville, October 12-14. Mrs. John S. Rowe of Hickory was re-elected president.

Dr. Christopher Crittenden addressed the Pennsylvania Historical Association at its annual meeting in Harrisburg, October 16, on the subject "History as a Living Force."

The Wachovia Historical Society held its annual meeting in the Wachovia Museum building, Winston-Salem, on the evening of October 19. Dr. Christopher Crittenden spoke on the state's program for collecting war records.

The North Carolina Library Association held its twenty-third biennial convention at Charlotte, October 20-21. Dr. Susan Grey Akers, dean of the library school of the University of North Carolina, was elected president, succeeding Mr. Hoyt R. Galvin, librarian of the Charlotte Public Library.

The town of Valdese, colonized in 1893 by a band of settlers from the Cottian Alps (on the Franco-Italian border) celebrated its fiftieth anniversary on October 27. Governor Broughton delivered the principal address.

Navy Day was celebrated in Raleigh, October 28, with a parade of cadets from the naval preflight school in Chapel Hill and other groups, and ceremonies in the city auditorium.

On November 2 the (Negro) Agricultural and Technical College at Greensboro honored the memory of its late president, Dr. James B. Dudley, at its Founders' Day exercises. Dr. Guy B. Johnson of the University of North Carolina was the principal speaker.

The State Department of Archives and History was represented at the annual sessions of the Society of American Archivists and the American Association for State and Local History, at Princeton, New Jersey, November 15-17, by Dr. R. D. W. Connor, chairman, Dr. Christopher Crittenden, secretary, and Miss Charlie Huss, collector of records. Dr. Connor was president of the archivists' group, and Dr. Crittenden and Miss Huss were on the programs.

Dr. Wallace E. Caldwell, professor of history in the University of North Carolina, was re-elected governor of the Society of Mayflower Descendants in North Carolina at the Society's annual meeting in Asheville, November 27.

The State Literary and Historical Association, the North Carolina Folk-Lore Society, the State Art Society, the Archaeological Society, and the Society for the Preservation of Antiquities held their annual sessions in Raleigh, December 1-2. All meetings, unless otherwise indicated, took place at the Sir Walter Hotel. Because of the war the forty-third annual session of the State Literary and Historical Association was shortened and only two sessions instead of the customary three were held. On Thursday morning, December 2, Mrs. Inglis Fletcher of Wilmington spoke on "The Function of the Historical Novel," Miss Charlie Huss of the staff of the State Department of Archives and History read a paper on "Preserving Our War Records," Mrs. Ford S. Worthy of Washington, N. C., reviewed North Carolina books and authors of the year, and a business meeting was held at

which the following officers were elected for the ensuing year: president, Dr. Hubert McNeill Poteat, Wake Forest; first vice-president, Dr. Frontis Johnston, Davidson; second vice-president, Mrs. Inglis Fletcher, Wilmington; third vice-president, Dr. Charles Lee Smith, Raleigh; secretary-treasurer, Dr. Christopher Crittenden, Raleigh. At the final meeting on Thursday evening, Mr. Macon R. Dunnagan of Raleigh announced the Mayflower Cup award and presented a replica of the cup to the first Negro winner, Professor J. Saunders Redding, now of Hampton Institute, Hampton, Virginia, but formerly (from 1938 until September, 1943) a member of the faculty of Elizabeth City State Teachers College, Elizabeth City, N. C., whose book, *No Day of Triumph*, had been adjudged the best original work by a resident North Carolinian for the year ending August 31. President Paul Green of Chapel Hill then spoke on "North Carolina Progress," Mr. Virginius Dabney, editor of the Richmond *Times-Dispatch*, delivered an address on "Race: The South's Problem Number I," and a reception was held for members and guests of the Association and allied societies.

The thirty-second annual session of the North Carolina Folk-Lore Society took place on Thursday afternoon, December 2, with the following program: "Creole Folktales," Calvin Claudel, Chapel Hill; "Kentucky Folksongs," Cratis D. Williams, Boone; resolutions in tribute to Frank Clyde Brown; "Dr. Frank Clyde Brown and His Collection of Folklore," Newman I. White, Durham; and a business meeting.

The North Carolina State Art Society held its seventeenth annual session on Wednesday and Thursday, December 1-2. On Wednesday evening, at the Sir Walter Hotel, with Governor J. Melville Broughton presiding, Mrs. Katherine Pendleton Arrington of Warrenton gave "Presidential Greetings," and Mr. W. F. Davidson, vice-president of the Knoedler Galleries, New York City, delivered a lecture, after which, in the State Art Society Gallery, Library Building, a reception was held and there was an exhibition of paintings from the Knoedler Galleries. On Wednesday morning in the same place a business meeting took place and that afternoon in the Attorney General's office a session of the board of directors was held.

The annual session of the Archaeological Society of North Carolina took place on Wednesday morning, December 1, with

the following program: "Some Experiences in Archaeological Work in New Mexico," Fletcher Cook, Chapel Hill; "Report on an Indian Site in Stanly County," illustrated, H. M. Doerschuk, Badin; "A Review of American Archaeology during the Past Year," Guy B. Johnson, Chapel Hill; and a business session.

The fifth annual session of the North Carolina Society for the Preservation of Antiquities was held on Wednesday afternoon, December 1. In the absence of the President, McDaniel Lewis of Greensboro, the presidential address was read by Dr. Christopher Crittenden; a report was made on the four memorial commissions authorized by the last General Assembly; a postwar historical program was discussed; Senator Hugh B. Mitchell of Statesville, chairman of the commission to preserve the Vance home in Statesville, told of the work of that commission; and a business session was held.

The commission to purchase and preserve the Vance home in Statesville is continuing its campaign to raise $25,000. Chapters of the United Daughters of the Confederacy throughout the state are coöperating.

"The Early Schools of Oxford and Cambridge," by Dr. J. C. Russell of the University of North Carolina, was published in *The Historian,* V (1943), 61-76.

Dr. E. S. Pomeroy of the University of North Carolina has published "Colonial Administration by United States Naval Officers," *United States Naval Institute Proceedings,* October, 1943; "The Visit of the Russian Fleet in 1863," *New York History,* October, 1943; and "French Substitutes for American Cotton, 1861-1865," *Journal of Southern History,* November, 1943. The Albert J. Beveridge Memorial Fund Committee of the American Historical Association has accepted for publication Dr. Pomeroy's study, *The Territories and the United States, 1861-1890. Studies in the Control of Dependencies.*

A useful publication is *The Repair and Preservation of Records,* by Adelaide E. Minogue, *Bulletins of the National Archives,* number 5, September, 1943.

The editing and publication of the field notes of the WPA American Imprints Inventory has been resumed by the Bibliographical Society of America, with the aid of a grant from the

Rockefeller Foundation. The Society has named a committee, with Mr. Thomas W. Streeter, Society president, as chairman, to supervise the project, and the committee has appointed Mr. Douglas C. McMurtrie of Chicago, former national editor of the American Imprints Inventory, as editor-in-chief.

According to the latest Duke University catalog, the library of that institution includes more than 659,000 volumes and 817,753 manuscript pieces.

The program for collecting war records is being continued. Miss Charlie Huss, collector of records for the Department of Archives and History, has held meetings for this purpose in many counties of the state and a great deal of interest and enthusiasm has been aroused. Dr. John Hope Franklin, of the department of history of the North Carolina College for Negroes, has consented to direct the campaign for collecting the records of North Carolina Negroes in the war.

By a decision of the court of appeals of the District of Columbia, the University of North Carolina in October was awarded a $1,390,000 trust fund left by the late William H. Ackland for the establishment of an art gallery.

Oil portraits of many of the state's great and near-great in the various buildings of the University at Chapel Hill, and the Hall of History, the Capitol, and the Governor's Mansion in Raleigh are being restored by Dr. Arthur E. Bye, Philadelphia artist.

Books received include: Harvey Wish, *George Fitzhugh: Propagandist of the Old South* (Baton Rouge: Louisiana State University Press, 1943); Frank L. Mott, *Jefferson and the Press* (Baton Rouge: Louisiana State University Press, 1943); Carl Goerch, *Down Home* (Raleigh: Edwards and Broughton Company, 1943); Henry Steele Commager, *Majority Rule and Minority Rights* (New York: Oxford University Press, 1943); James A. Porter, *Modern Negro Art* (New York: The Dryden Press, 1943); Earl Conrad, *Harriet Tubman* (Washington: The Associated Publishers, 1943); Dorothy Mackay Quynn and William Rogers Quynn, *Barbara Frietschie* (reprinted from the *Maryland Historical Magazine*, September and December, 1942); and *Rocky Mount Mills: A Case History of Industrial Development, 1818-1943* (Rocky Mount, N. C.: copyrighted by Rocky Mount Mills, 1943).

CONTRIBUTORS TO THIS ISSUE

Miss Jane Zimmerman is an instructor of history in the Woman's College of the University of North Carolina, Greensboro, N. C.

Dr. Kenneth M. Stampp is an assistant professor of history in the University of Maryland, College Park, Md.

Dr. James A. Padgett's address is 9 Fourth Street, Southeast, Washington, D. C.

THE NORTH CAROLINA HISTORICAL REVIEW

VOLUME XXI APRIL, 1944 NUMBER 2

WILLIAM GASTON AND THE SUPREME COURT OF NORTH CAROLINA

By JOSEPH HERMAN SCHAUINGER

More than one hundred years ago, on January 23, 1844, there came to an end the career of one of the most distinguished of American jurists, William Gaston of North Carolina, who lived and practiced law in an era that nurtured the strongest and greatest bench and bar ever assembled at one time in this country, and his death closely coincided with the close of this period. In the years between the War of Independence and the War of the North and the South, the courts of justice provided the setting for the exercise of the greatest talents in the United States. In fact, it might be said that the limelight occupied today by Hollywood and its stars was at that time possessed by the courts and lawyers. The people attended court trials to witness a show and no courtroom was large enough to hold the spectators crowding in to hear Clay, Webster, Hopkinson, Kent, Story, Marshall, and their like. Every state had its quota of these legal giants and many were as well known outside the state as within. Such was the case with Gaston.

The Honorable William Gaston was Associate Justice of the Supreme Court of North Carolina from December, 1833, to January, 1844. His entire ten years on the bench were shared by Thomas Ruffin and Joseph J. Daniel. The latter never attained much fame, being of rather mediocre stature and having little real ability, while Ruffin was one of the ablest jurists of the state, serving on the state Supreme Court at two different periods for a total of twenty-five years. Before Gaston took his place upon the court, the friends of that august body had had a hard fight to justify its existence. From its foundation, in 1818, its enemies had sought to destroy it. Each meeting of the legislature saw a bill introduced either entirely to dissolve it

or else so to weaken it as to render its influence negligible. Petty judges of lower courts were annoyed to have their decisions reversed, and therefore were generally the leaders in these attempts. They were joined by others discontented in one way or another by the workings of the court. Yet the original three justices were men of the highest ability, character, and learning. These were Chief Justice John L. Taylor (Gaston's brother-in-law), John Hall, and Leonard Henderson.

Gaston himself, in the legislative session of 1818, as chairman of the judiciary committee of the state senate, had reported the bill to set up the court, and so could be regarded as one of its founders. The old "supreme court" had been composed of all the judges of the circuit court, and in his report calling for the organization of the new one Gaston had dwelt at some length on the weaknesses of such a body. An effort to ruin the new court by reducing the salaries of the judges had been blocked by Gaston in 1819, and from that date, during his long service in the state legislature, he, Barlett Yancey, and other disinterested leaders of the bar defeated similar efforts to weaken or abolish the Supreme Court.

William Gaston had entered the state legislature as a very young man, serving in the state senate in 1800 (two years after he was admitted to the bar, being twenty-two years old), and thereafter at regular intervals he was elected to one or the other branch of the legislature. During the years he also served the people of the state in many ways.[1] His reputation as a lawyer was widespread, and the respect for his legal talent is well illustrated by the following incident. In Indiana a former North Carolinian had been indicted for murder. The case was clear—Hugh Monroe had been on bad terms with the deceased for months, and when the two had met at a shooting-match he had shot his foe while the latter was engaged in adjusting the target. Just before the case came up in court, one of Indiana's leading lawyers, Oliver H. Smith, was in his office when "a venerable man, uncommonly fine looking, with hair as white as snow, finely but plainly dressed, entered . . ." This was Hugh Monroe's father and he came to ask Smith to help defend his son, who had already employed Charles H. Test, James Rariden, and James T. Brown, three of the finest counsels in the state. When Smith acquiesced the father exclaimed, "Oh, if I could

[1] For a sketch of the entire life of Gaston see J. H. Schauinger, "William Gaston, Southern Statesman," *The North Carolina Historical Review,* XVIII (1941), 99-132.

have brought with me William Gaston, of our state, I would have been satisfied. I offered him a deed to my farm to come with me and defend my son, but he could not leave home. I must take you, and hope for the best." However, Smith managed to do rather well; they were able to obtain a verdict of manslaughter, and the man later was pardoned by the governor.[2] This evident respect for Gaston's powers was not confined to the laymen; his colleagues held him in great admiration, not untinged at times with envy and fear.

"I have been employed for some days past in the Circuit Court of the United States where brother Gaston is all in all" petulantly declared Edmund Badger to Ruffin, "and though I have heard much and seen a little of *leaning* yet never saw I, or heard I of such complete supporting upon a lawyer as of Chief Justice Marshall upon Gaston. The Chief Justice seems to be but his echo, though he is not aware of it, for his integrity is certainly pure."[3] Marshall's respect for Gaston was shared by other national figures such as Daniel Webster, Joseph Story, Chancellor Kent, Joseph Hopkinson, and Roger B. Taney.

Although Gaston was one of the leading lawyers of the state, it should not be imagined that every case placed in his hands led to victory. Some time after the incident referred to above, Badger and Gaston were contending counsels at a trial of important land cases in the federal court at Raleigh, where large crowds every day met to listen "to the ablest arguments on both sides ever heard in a court in this state."[4] This case was decided in favor of Badger. Yet a client's chance of success was great, and few cared to have him on the opposite side. His ingenuity may be seen in the following case. In a trial at New Bern the question of sea-worthiness of a ship came up, and he argued that "there may be a partial unsoundness of particular members, which could not with propriety destroy the character of a vessel for seaworthiness, and as scarcely a vessel sails on the ocean without having some unsoundness in part of her timbers, she cannot be denominated unsound or unseaworthy merely because individual constituent parts of her hull are in a state of decay. It requires an assemblage of such defects to ascribe justly to her the application of being unseaworthy; and if the brig in question was enabled to encounter the ordinary perils of the ocean

---

[2] O. H. Smith, *Early Indiana Trials and Sketches* (1858), pp. 21-22.
[3] J. G. deR. Hamilton, ed., *The Papers of Thomas Ruffin*, I, 455.
[4] *Raleigh Register*, May 14, 21, 28, 1832.

she was seaworthy." With regard to the strength of a mast he demonstrated his position by stating that "the strength of cylindrial beams are as the cubes of their diameters." Therefore, "a mast of eighteen inches through has a relative strength of 18x18x18 or 5832; if it were rotten one-third of its diameters it would still have a strength of 5616, while if it were two-thirds rotten it would still have a strength of 4104, whereas a sound mast sixteen inches through has the strength of only 4096." The New Bern papers reporting the trial claimed that "the concluding argument made by this distinguished jurist was pronounced to be the ablest intellectual effort ever heard or witnessed here."[5] His argument seems to sustain this eulogy. His ability was recognized by all; even Webster did not hesitate to ask him to "run your eye over this . . . and if its view of the constitutional question be wrong, just tell an old friend that he has fallen into error."[6]

Hence it is no wonder that his name was prominently mentioned to succeed Judge Taylor on the bench of the Supreme Court when this worthy Chief Justice died early in 1829. Several men, however, were very desirous of the place. Among these were Henry Seawell, who wrote Gaston that "your endorsement will give me credit," and Archibald D. Murphey, who wrote Ruffin that if neither he nor Gaston wished the appointment he would be glad to get it. Murphey thought that Ruffin, Gaston, and Badger were the only persons of the bar qualified for the position, and he told Ruffin that he had heard that Gaston would not accept it and that Badger was to become Jackson's Attorney General.[7] Gaston refused to be considered at all, and Ruffin finally accepted the vacant place.

Two years later, December 5, 1832, Judge Hall resigned; many believed that this would be a signal for the destruction of the court.[8] Gaston was nominated for the vacancy, but his name was withdrawn upon the assertion of Thomas Devereux that he would not accept the place. Devereux was then commissioned to persuade Gaston to accept the nomination or else to obtain a positive refusal in writing. Devereux told Gaston that it was thought he could have the place by acclamation, as Badger under no circumstances would oppose him, and it was believed neither

[5] *United States Catholic Miscellany*, Dec. 10, 1831.
[6] Webster to Gaston, April 18, 1832. Gaston MSS. (University of North Carolina Library).
[7] W. H. Hoyt, ed., *Papers of Archibald D. Murphey*, I, 380. (Murphey to Ruffin, Feb. 3, 1829.)
[8] *North Carolina Journal*, Dec. 19, 1832.

would Strange nor Toomer. Devereux feared that "the creature Daniel" would be elected if Gaston refused.[9] But Gaston again declined to be considered. He was, however, interested in seeing the position filled by the most competent person available. To his mind Daniel was entirely unqualified for the station, and he told Hannah Gaston, his daughter, that he had formed this opinion not on prejudice but on sober judgment, even though the objectionable man was then in Raleigh "electioneering in a most vulgar way." As long ago as 1821 he had formed an estimate of Daniel; at that time the enemies of the Supreme Court were active and Gaston was afraid they might have their way. He told Barlett Yancey, "Daniel is busy about Halifax. He can't bear that his adjudications should be reversed, and he fancies *himself* competent to sit in judgment of the opinions of all men."[10] Gaston did not believe it possible that either Toomer or Seawell could obtain the position, for although the farmer was an "excellent man and respectable though not profound lawyer" he had made himself obnoxius to the East by his support of a constitutional convention and opposition to the recent appropriation bill for the Capitol, while the latter, although possessing equal talents, had made himself unpopular by his temper, stratagem, and manners.[11] To the chagrin of many Seawell withdrew from the contest and his friends voted for Daniel, who was elected and assumed his post the first of the year. Upon hearing the news Gaston groaned "My country, O my country," and others expressed themselves in like manner. This result had not been totally unexpected, however, for as one person said, "He had been pulling very hard for that post for a long time."[12]

Two of the original members of the court were now gone and it was not long before they were joined by the third, Leonard Henderson, who had been elected to the Chief Justiceship after the death of Taylor. Henderson died on August 13, 1833; thereupon pressure brought upon Gaston to allow his name to be put up for election to the court became so great as to be irresistible. He was besieged upon all sides by urgent appeals to "save the Court." Governor David L. Swain told him that the event [Henderson's death] was a crisis of no ordinary moment to the judiciary, and that if any other name but his

[9] T. P. Devereux to Gaston, Dec. 19, 1832. Gaston MSS.
[10] Gaston to Yancey, July 15, 1821, "Letters to Barlett Yancey," *James Sprunt Historical Publications,* X (1911), 29.
[11] Gaston to Hannah Gaston, Dec. 31, 1832. Gaston MSS.
[12] J. H. Bryan to E. Pettigrew, Jan. 2, 1833. Pettigrew MSS. (University of North Carolina Library).

own were presented to the legislature the court would die with the late Chief Justice.[13] In eleven closely-written pages Ruffin urged that he would see fit to join him on the Bench, and declared that if he did not do so he himself would resign and the Supreme Court would disappear. Ruffin stated that Henderson's successor must be a man "with whom a gentleman can have cordial intercourse and with whom consultations would ease labors and enlighten the mind," whose talents would make it necessary to review first impressions and reconsider even settled conclusions, or in other words "be a man differing in almost all respects from the person with whom I now sit." He also told Gaston he was the first and only person with whom he had had any interchange of opinion concerning his fellow member of the Bench, and that he had mentioned names and expressed opinions too freely for any eyes but his.[14] Gaston's friend, Thomas Devereux, assured him that the sentiment expressed in Raleigh made it absolutely necessary for him to accept the post in order to save the court. He declared that it was desirable to have a man on the court who recognized the supremacy of the Federal court, as Ruffin did not; dissatisfaction was felt toward the court because of the tardiness with which its business was done, its concealment of opinions until the moment of adjournment, and its haste in drafting those opinions.[15]

Gaston did not at once accede to these demands as there were several obstacles which he wished removed before allowing his name to be placed in nomination. By one of the articles of the state constitution no one could hold a state office who did not believe in the truths of the Protestant religion, but more than a year before this present call Gaston had concluded that Catholics were not disbarred by it. In 1832 his son had been made a justice of peace, and before allowing him to accept the office Gaston had conferred with Ruffin concerning this article of the constitution. Ruffin had maintained that the article may have been intended to exclude Roman Catholics from office, but that it did not. He said:

> Probably the intelligent men who drew up the law in order to satisfy bigots, purposely and patriotically framed the clause in such terms as to have no precise ideas affixed to them and it cannot therefore be judicially

[13] Gov. David L. Swain to Gaston, Aug. 15, 1833. Gaston MSS.
[14] Ruffin to Gaston, Aug. 21, 1833. Gaston MSS.
[15] T. P. Devereux to Gaston, Aug. 15, 21, 1833. Gaston MSS.

interpreted in a manner to impose the disability. . . . It is not enough to that end that it may possibly thus mean or that it was intended. The country has a right to every citizen she thinks worthy and capable. Terms ought to be perfectly clear when the country imposes upon herself restrictions. There is not the least ambiguity in other parts of the Constitution. Finally, who shall say what is the Protestant religion.[16]

This opinion of Ruffin had been given well over a year before the question arose affecting Gaston himself. Gaston, too, felt that whatever it might have meant to do, the clause in question legally did not disbar Catholics. He had thought then that it would be an injustice to his son and to the other members of the Roman Catholic Church to create a disqualification which did not exist. He told Ruffin that:

Until lately I had supposed it the course of my duty to decline any office under our state constitution. Whatever might be the proper construction of the thirty-second article . . . there was room for opinions that it intended to exclude Roman Catholics. I had sworn to support that constitution and it seemed safer in conscience to remain always a private citizen than to run the risk of breaking the oath by accepting an office from which perhaps that constitution excluded me. . . . I am satisfied with you, however, that whatever views some of the framers may have entertained, this disqualification is not plainly expressed in it—nor can it be inferred—and must therefore be regarded as not contained in it. If scruples of conscience detained me they ought all other Catholics. The consequences would be political degradation and incapacity of Catholics not contained in that constitution.[17]

Gaston felt that the most powerful point in the argument was that no one could say with assurance just what were the truths of the Protestant religion, that no tribunal could be appointed to determine that question, and finally, that he himself believed all the truths contained in the Protestant religion. His position on this question he made very clear to Governor Swain, Ruffin, Badger, Devereux, and others.[18] Chief Justice Marshall had also been consulted about this matter and had declared that he did not see the least impropriety in consequence of his judicial station in giving a written opinion, but from the fact that he was a resident of Virginia he thought doing so might be looked on by North Carolinians as officious interference, and so declined to make a written statement. He told his questioners that if he were a member of the North Carolina legislature he would not

[16] Ruffin to Gaston, May 23, 1832. Gaston MSS.
[17] Gaston to Ruffin, Aug. 25, 1833, *Ruffin Papers*, II, 92.
[18] Gaston to Devereux, Nov. 3, 1833. Swain MSS. (State Department of Archives and History, Raleigh).

hesitate to vote for any upright and conscientious man who was willing to take the ordinary oath. Marshall also asked who was to determine the truths of the Protestant religion.[19] Although Gaston had not felt that the constitution barred him from the office now open he had wished to have his own opinion verified by leading lawyers of the state.

An objection much more insurmountable to him was the matter of his debts, however, for he owed $8,000 to the banks, which he felt by his ordinary pursuits could be paid off in two years. By accepting the preferred position he was giving up an income of $6,000 for $2,500. Devereux was told that if these pecuniary engagements were arranged so that Gaston could have four or five years to pay them, in yearly instead of quarterly installments, there would be no insuperable objections remaining. To no other office was Gaston so attracted as to this, but he feared that it would involve a departure from the state of independence in which he preferred to live. He disliked to have his conduct and opinions become a fit subject for everybody to criticize, and did not care to have every demagogue inquire whether the work he performed was worth the salary paid. He was, however, willing to undergo these petty annoyances if he were sure of being as useful to the state as his friends thought he would be. In several letters to his most intimate friends he expressed the same thought; his own personal inclinations were characteristically put aside as he told them:

> But I admit unequivocally that I have no right to consult this preference if it be at variance with my duty to my country. The hey-day of life is over and I am approaching to its close. I know that I am to stand before the judgment seat of an all-knowing and just God to render an account of the deeds done in the body. With this assurance I should be a fool without excuse if the comparative comfort of the few years that remain to me could tempt me to decline any obligation which I have reason to believe He wills me to perform. It is His will that I should do all the good I can to my fellow men.

He hoped that he would make a good judge, but stated that "the incessant practice in which I have been engaged, supporting and defending causes of all sorts, has, I apprehend, rather given me dexterity in arguing a side than a correct judgment in finding out on which side the law is." He left the final decision of the matter, however, to Swain, Badger, and Devereux. Devereux then arranged for a long-term loan, and Ruffin was among those

[19] Devereux to Gaston, Nov. 14, 1833. Gaston MSS.

who signed as surety for the bond. The only apparent opposition to his election was made by Henry Seawell. That individual seemed to be extremely fearful that "the integrity of the Protestant religion would be seriously affected by Gaston's election to the Bench," and inundated the West with letters stating the great anxiety of the Edenton circuit that he himself should be a candidate.[20] Thomas Polk, Badger, and Swain did all they could to obstruct Seawell's path. In the meantime Gaston went North to visit his daughter, Susan. When the House of Commons was convened a resolution offered to repeal the act creating the Supreme Court was rejected without debate by a vote of 102 to 23. On November 27, 1833, Gaston was elected to the vacancy created by the death of Chief Justice Henderson; 112 votes were cast for him, 42 for Seawell, and 33 were blank. When the Court met for the December term "Daniel promptly declined all claim to the distinction of Chief Justice," so the remaining two decided to settle the matter by lot, which fell upon Ruffin, who thus became the third Chief Justice of the state.[21]

Practically universal acclamation within as well as without the state met this appointment. William Hooper, great educator of his day, in a newspaper article on Gaston, said "The appointment of Mr. Gaston to the highest judicial office in the gift of his country, in spite of the verbal prohibition of the law, is one of the highest attestations of his pre-eminent merit." There were a few who labored to arouse prejudice because of his religion. In Virginia the fanatical Breckenridge viciously attacked Gaston because of his religion. Gaston, however, had decided that such men as Breckenridge and other preachers who sought to arouse old prejudices against Catholicism were not worth the time wasted in replying. To sincere men he explained his action; one such was a newspaper editor in Virginia. Another was William A. Graham, to whom Gaston related that on the subject of the disqualification a written opinion had been given him more than thirty years ago, when he first became a member of the legislature, by Samuel Johnston, "who of all men then living best knew and was best qualified to expound the Constitution."[22] In reply Graham stated that he had been entirely satisfied by Gaston's explanation contained in his letter to Deve-

[20] Swain to Gaston, Nov. 8, 1833. Gaston MSS.
[21] Gaston to Donaldson, Jan. 3, 1834. Gaston MSS.
[22] Gaston to Graham, Nov. 12, 1834. Graham MSS. (State Department of Archives and History, Raleigh).

reux, and that his election had given a real stability to the court.[23] One of the most scholarly historians of the state has declared that after Gaston's election opposition to the court was lost sight of, and that it was an important influence in preventing reversion to the old system.[24]

Gaston entered upon his duties in the winter term of 1833. He found them deeply interesting and far more arduous than he had anticipated, as there was a vast accumulation on the docket, which the new court hoped by renewed exertion materially to decrease. He was always intensely scrupulous in his judicial duties, and when in doubt never hesitated nor scorned to seek the aid of other eminent judges. Before three weeks had elapsed he asked Chancellor Kent for his opinion as to whether trustees were entitled to a commission on sales of property where the agreement of the parties made no allowance and no state law existed on the matter.[25] Although it had been a question on which the courts of the different states had pronounced contradictory decisions, the experienced old jurist informed the new judge that he understood the rule denying compensation to trustees was now generally abolished. While replying to this question Kent took the occasion to express his astonishment that no provision was made for selecting a Chief Justice, saying "It is curious that it be decided by lot. . . . I have not the honor of any kind of acquaintance with your associates and I don't doubt they are perfectly fit, but I only *know* that you are."[26] In the following June term another exchange of opinion concerning a case passed between them, Kent assuring Gaston that his opinion on the case in question was entirely correct.

Another warm friend, Joseph Hopkinson of Philadelphia, was elated by the appointment of Gaston to the state's Supreme Court, but soon after this event expressed alarm over a rumor that the legislature of North Carolina was planning to vacate the court because of a judicial decision. Gaston relieved the Philadelphian's mind on this score, telling him that no such action had even been thought of, and gave him a rapid but comprehensive sketch of the court's position in the state:

> The Court which has had a strong hold on the affection and respect of the better part of the community has indeed many enemies to encounter. Some of our circuit judges think unfavorably of it because it frequently

[23] Graham to Gaston, Dec. 20, 1834. Gaston MSS.
[24] W. K. Boyd, *History of North Carolina: The Federal Period*, p. 70.
[25] Gaston to Kent, January 24, 1834. Kent Papers (Library of Congress).
[26] Kent to Gaston, Feb. 3, 1834. Gaston MSS.

reverses their decisions. The little lawyers carp at it when its determinations falsify their predictions and the radicals think it sheer aristocracy for three men to pronounce an Act of the General Assembly null because it violates the Constitution. But as yet our people have a deep rooted reverence for their institutions and especially for their judicial institutions; and any attempt to punish a judge because of an honest opinion would be regarded by them with horror. Much less would be tolerated any inquisition into the principles of his religious faith. The detestable spirit of demagogism which threatens the Union and every state of the Union with the direst calamities is not unknown among us and is I fear acquiring strength and obtaining a wider spread, under the name of Jacksonianism, every year. Whether it can be arrested or not, what harm it may make in North Carolina it is difficult to predict. But I think that it is among the last of the states which is to fall a victim to the destroyer.

At this time Gaston told Hopkinson that he would later send him a sketch of the views which induced him to adopt the conclusion that there was no constitutional disqualification of Catholics from taking and holding office in the state, while his deliberate determination to accept the office was regarded as a practical exposition of this part of the constitution.[27]

Because of North Carolina's position as a Southern state of the Union many of the cases which came before the Supreme Court concerned the life and welfare of the Negro race, both slave and free. His views on slavery were well known in the state and had been publicly expressed shortly before his election to the Court in his courageous address at the commencement exercises of the University of North Carolina. In this speech, before most of the important men of the state, he emphatically declared:

On you too, will devolve the duty which has been too long neglected but which cannot, with impunity, be neglected much longer, of providing for the mitigation and, (is it too much to hope for in North Carolina) for the ultimate extirpation of the worst evil that afflicts the Southern part of our Confederacy. Full well do you know to what I refer, for on this subject there is with all of us a morbid sensitiveness which gives warning to even an approach to it. . . . Disguise the truth as we may and throw the blame where we will, it is slavery which, more than any other cause, keeps us back in the career of improvement. It stifles industry and suppresses enterprise; it is fatal to economy and prudence; it discourages skill, impairs our strength as a community, and poisons morals at the fountain head.

His public utterances were reinforced by private actions. Between 1821 and 1842 the priests stationed in New Bern baptized at least forty slaves of William Gaston; one entry in the

[27] Gaston to Joseph Hopkinson, Jan. 13, 1835. Hopkinson MSS. (Pennsylvania Historical Society, Philadelphia).

records of the Catholic Church there states that all the slaves of William Gaston were baptized.[28] In 1822 he had a slave who was permitted to keep a blacksmith shop in Kinston. Under the urgent importunity of this man "at great inconvenience" to himself he purchased the wife (who had been placed on the block), as the blacksmith feared she would be separated from him. "Last Saturday," Gaston related disgustedly to Susan, "she shot him." When Charles F. Mercer sent him a pamphlet concerning the newly formed Colonization Society, asking his influence to obtain a resolution from the North Carolina legislature approving it, Gaston informed him that he had long been a member of an auxiliary society for that object, and although he had not bestowed much reflection on the subject it was of high interest to him.[29] He also freed at least one slave, placing the boy under the charge of a priest "to receive moral and religious instructions, to be taught a useful trade, and, when qualified to make a fit use of his freedom. . . ."[30]

Gaston's judicial decisions followed in the same broad path of humanity, very often mitigating the hard lot of this people, although never conflicting with declared law. He never looked to the advancement of the white race but rather to the preservation of society, law, and order; if a white man violated the law, even though only a slave suffered, the law must be enforced. In the ten years before his appointment to the Supreme Court, there was a marked uncertainty in regard to the protection of slaves from masters.[31] Gaston's most famous decision, in the case of State *vs.* Will, occurring in 1834, changed all this and became a landmark in a more liberal and humane attitude.

Will, the slave of James S. Battle, was indicted for the murder of Richard Baxter, an overseer, and condemned to death by Judge Donnell, but the judgment was appealed to the Supreme Court by the owner. According to the evidence the drama leading to the tragedy had been swift. Baxter was in his own home, and as he was leaving his wife was heard to say "I would not, my dear," but he took his shotgun down, called his foreman to follow with a whip, and mounting his horse rode toward the slaves, who

[28] Records of St. Paul Roman Catholic Church, New Bern, N. C. Edward Channing in his fourth volume of the *History of the United States* states that Gaston was one of the first Southern statesman to speak against slavery and that his popularity did not suffer in the least because of this. He referred especially to the speech at the state university.

[29] C. F. Mercer to Gaston, Jan. 7, 1828. Gaston MSS.; Gaston to C. F. Mercer, Jan. 12, 1828. Gaston MSS. (State Department of Archives and History, Raleigh).

[30] Record in Georgetown University Archives, Washington, D. C., Sept. 1, 1824.

[31] Bryce R. Holt, "The Supreme Court of North Carolina and Slavery," *Historical Papers of Trinity College Historical Society*, XVII (1927), 72.

were loading cotton on a wagon. Baxter ordered Will down from the wagon; the latter obeyed, at the same time taking off his hat in a humble manner, but after a minute of conversation, which no one heard, started to run from the scene. Will had not taken more than fifteen steps when Baxter fired the entire load into his back, and although it was enough to have caused death, the Negro kept running. He was headed off about five-hundred yards away by the overseer and in the ensuing desperate struggle the slave inflicted a knife wound in Baxter's arm, which resulted in the latter's death.

Bartholomew F. Moore, the prisoner's counsel, in a powerful appeal demanded a more humane attitude by the state toward the slave. He maintained that Ruffin's decision five years before in the similar case of State *vs.* Mann, in which Ruffin had said that "the power of the master must be absolute to render the submission of the slave perfect" was not only abhorrent and startling to humanity, but at variance with statute and decided cases, and that Judge Henderson had held otherwise, declaring it extended "to the services and labor of the slave and no farther." The well known historian, John S. Bassett, said of this affair that "the slave was as fortunate in his judge as in his counsel. On the bench was William Gaston, as noted for his humanity as for his ability in his profession. . . . The task was performed clearly and emphatically."[32] Gaston delivered the opinion of the court, reversing that of the lower court.

He declared that had this occurred between two freemen the homicide could not have been more than manslaughter; if between master and apprentice the deed could not have been attributed to wickedness but to passion suddenly and violently excited, to a "brief fury" which left not to the mind the calm exercise of its facilities, and, although this did not excuse, it extenuated. Thereupon Gaston laid down what was to be the crux of his opinion, saying:

> Unconditional submission is the general duty of slaves. Unlimited power is, in general, the legal right of the master. However, there are exceptions. It is certain that the master has not the right to slay his slave, and I hold it to be equally certain that the slave has a right to defend himself against the unlawful attempt of his master to deprive him of life. There may be other exceptions, but in a matter so full of difficulties, where reason and humanity plead with almost irresistible force on one side, and a neces-

[32] John S. Bassett, "The Case of the State *vs.* Will," *Historical Papers of Trinity College Historical Society,* II, 1898.

sary policy, rigorous indeed but inseparable from slavery, urges on the other. . . . I fear to err, should I undertake to define them. There is no legal limitation to the master's power of punishment except that it shall not reach the life of his offending slave.

He furthermore stated that the act of the prisoner was not one of rebellion or resistance, so it afforded no justification for the barbarous action which followed his fleeing. It was instinctive to fly, human to struggle, and terror or resentment, the strongest of human passions, had given the struggle its fatal issue. The act of the overseer was one of cruelty, and an illegal act of violence was not lawful even if committed in passion. In forcible language he continued:

If the passions of the slave be excited into unlawful violence by the inhumanity of a master . . . is it a conclusion of law that such passion must spring from diabolical malice? Unless I see my way clear as a sun beam, I cannot see that this is the law of a civilized people and of a Christian land. I will not presume an arbitrary and inflexible rule so sanguinary in its character, and so repugnant to the spirit of these holy statutes which "rejoice the heart, enlighten the eye, and are true and righteous altogether." The prisoner is a human being, degraded indeed by slavery, but yet having organs, dimensions, senses, affections, and passions like our own.[33]

Gaston spent much anxious time in preparing this opinion, as he felt it might well be one of the most momentous he would ever be called upon to make. Although the decision was sometimes assailed, and the owner of the slave criticized for daring to defend a mere slave, even the Attorney General thought the law too harsh and desired its mitigation. Through Gaston the Supreme Court served notice to North Carolinians that the slave had the right of being a human being, even though living in a very degraded condition. Those who decried the decision as one which would loosen the bounds of authority were mistaken; its results were beneficial, for a check was placed on the cruel and thoughtless and the cause of humanity was advanced. "It was quoted and commented upon extensively throughout the Union. It fixed forever afterwards the rights of slaves . . . and made possible a more lenient policy toward slaves than existed in some other states," commented a prominent historian. In 1839, in the case of State *vs.* Hoover, the influence of this decision was seen when Ruffin, delivering the opinion of the Court, stated that it was "murder when a master plainly contemplated a fatal termi-

[33] 18 *North Carolina Reports,* 121.

nation to his cruelties," and that "the master's authority is not altogether unlimited." Ten years later, in the case of State *vs.* Caesar, Judge Nash agreed with this interpretation of the law.[34] The final sequel of the personal elements involved contained something of amusement even though tinged with pathos. Battle sent Will to another plantation in Mississippi. Will's wife, returning later to North Carolina, said, "Will sho'ly had hard luck. He killed a white man in North Carolina and got off, and then was hung for killing a nigger in Mississippi."[35]

One of Gaston's first cases involved a free colored girl, who had been bound out as an apprentice, and absconding, had been harbored by the defendant. Gaston pointed out in this case that the power of dissolving the indenture belonged to those who had formed it, or else to the court. Therefore, it could not be broken by the apprentice, for during minority the latter might be seduced into an unfit service and lured away to vice and idleness and ruin. He criticized the existing laws on the subject and declared that defects in the indentures should be corrected, saying, "There is a numerous and helpless portion of the community subject to the operation of those laws which create an involuntary obligation of service, and it is of high importance that these laws should receive such a construction as will protect them from oppression and injury, while at the same time it secures the rights of their temporary masters."[36]

In another case concerning free men of color, Gaston made a decision of the highest import to this section of the community, when he declared them to be citizens of the state. In this particular issue the Attorney General had insisted that the constitutional prohibitions regarding life, liberty, and cruel punishments need not enter into examination because the defendant, being a person of color, had never belonged to the political body and so was not a citizen. Gaston assailed this doctrine on several counts; in his lengthy opinion, a few sentences stand out. "The bill of rights said that all men had the right to worship; was this declaration to be understood as belonging solely to the citizens of North Carolina? According to the laws of the state all within it who were not slaves fell within two classes, free men or aliens. Slaves manumitted in the state became freemen, and

---

[34] Holt, "The Supreme Court of North Carolina and Slavery," p. 24.

[35] George S. Battle, "North Carolina *vs.* Negro Will . . . A Cause Celebre of Ante-Bellum Times," *Virginia Law Review,* VI (1919-1920).

[36] 15 *North Carolina Reports,* 61-70. "Dowd *vs.* Davis."

therefore, if born within North Carolina were citizens of North Carolina, and all free persons born within the state were citizens of the state. Naturalization was the removal of the disability of alienage, while emancipation was the removal of the incapacity of slavery. The possession of political power was not essential to constitute a citizen, for if so then women, minors, and persons who had not paid taxes were not citizens."[37]

A matter always arousing contention in the old South was the freeing of slaves, and on this subject practically every Southern state had a code of laws. In a case decided by Gaston in 1835 he held that manumission was the act of the owner. He stated that the power to perform this was restrained and regulated, but could not be taken from the owner and conferred upon a judicial tribunal, for not even the legislature could emancipate a slave without the assent of the master.[38] In keeping with his humane protection of the rights of slaves he maintained, in the case of State *vs.* Jarrett, that the insolence of a slave did not justify an excessive battery; that a knife and a fence rail were not lawful instruments to correct such insolence. He stated that "Habits of humility and obedience belonged to the condition of slaves, and as the law would not permit one to resist or flee, his passions ought to be tamed down to suit the condition; yet the law would be savage if it made no allowance for passion."[39]

Comparatively few cases involving federal law came before the Supreme Court. In one such that did come before the court, however, Gaston ruled against the state law, claiming that under its authority to establish post-offices Congress could require postmasters to devote their time and attention to the execution of their appropriate duties, and by such an exemption, to secure them against compulsory interruption in the performance of these duties. In this opinion he declared that there must be a proper respect for the constituted authorities of the general government, and a due sense of the necessity of harmony between the institutions of the United States and the municipal regulations of the individual state.[40] He also maintained in another decision that because of the interests of the whole community the law imposed upon public carriers a responsibility far more rigorous than that which measured the liability of ordinary

---

[37] 20 *North Carolina Reports,* 385. "State *vs.* Manuel."
[38] 18 *North Carolina Reports,* 165. "Bryan *vs.* Wadsworth."
[39] 23 *North Carolina Reports,* 76.
[40] 18 *North Carolina Reports,* 378. "State *vs.* N. L. Williams."

bailees for hire, so such a public carrier could be excused from the non-performance of this duty by nothing short of an act of God or of a public enemy.[41]

Generally speaking, courts of equity were established to detect latent frauds and concealments which the process of law is not adapted to reach, to enforce the execution of such matters of trust and confidence as are binding in conscience though not cognizable in a court of law, and other such affairs. Gaston, in a gesture characteristic of his philosophy and humanity, held that this court viewed with much jealousy absolute conveyances taken from embarrassed men after a negotiation for a loan of money, as it regarded such persons as in a state approaching moral duress, likely to be goaded on by distress into submission to whatever terms that might be exacted. He, moreover, stated that even where the written contract clearly conformed to that on which the parties had agreed equity would often relieve, because its terms were hard and grinding.[42] Another such decision held that the plaintiff, whose labor and money had been expended on improving property which the ancestor of the defendant had encouraged him to expect would become his own, must be compensated for the additional value which these improvements had given the property, for "it was against conscience that they should be enriched by gain thus acquired to his injury."[43] Gaston also thought that "credit, which is indispensable for the commerce of life, can scarcely be commanded in any country where a debtor has the power to jeopardize an existing debt by the gratuitous alienation of his effects," so a voluntary conveyance is necessarily and in law fraudulent when opposed to the claim of a creditor.

For the purpose of public improvement the legislature had passed an act which seemed to confer upon the court the power to render judgment for one individual or a company against another without notice. Gaston decided that "it would be seen on a little examination that the section would not stand a strict literal interpretation; that it must be helped by a reasonable construction to save it from absurdity." Although it may have been the purpose of the legislature to favor objects of the company and facilitate its collections, "we hold no more," said Gaston, "than that it must be exercised with a sacred regard to the

[41] 18 *North Carolina Reports,* 276. "Harrel & Co. *vs.* Owen."
[42] 17 *North Carolina Reports,* 562. "Kimborough *vs.* Smith."
[43] 22 *North Carolina Reports,* 10. "Albea *vs.* Griffin."

principle which lies at the bottom of all justice and fairness, which ought never to be violated and which the legislature did not mean to violate, to pass on no man's right until he has had the opportunity of being heard in their defense."[44] In a seemingly too trivial case to appear before a Supreme Court he maintained that although ferocious dogs could be destroyed by any person, it would be monstrous to require exemption from all fault as a condition for their existence; that if such deflections from strict propriety as those enumerated in the case at hand be sufficient to give a dog a bad name and kill him, the entire race of those faithful and useful animals might be rightly extirpated. In a case involving the shooting by an officer of an escaping prisoner, Gaston said that "you can only kill to save life or limb, or prevent a great crime, or to accomplish a necessary public duty." In this case he declared that if a legal process be civil in nature or the crime a misdemeanor only, an officer, although he could not otherwise arrest or retake his prisoner, could not intentionally kill him, for this would be murder.[45]

In the case of State *vs.* Miller, which had as its issue the separation of the jury, Gaston dissented from his associates. He spent much anxious reflection in preparation of his course, again and again reviewing the case of the State *vs.* Douglas for precedents. Because of his dissent from the majority opinion of Ruffin and Daniel, he anxiously wrote Kent for his unbiased view of this dissent, saying that this circumstance made him doubt the correctness of his own opinion. The latter thanked him for allowing its perusal, remarking that it appeared to him to be "a piece of close, logical, forcible, analytical, and almost inescapable reasoning and justification of the principle of law and of the authorities applicable to the case."[46] The call for a mistrial had hinged upon the fact that one of the jurymen had been absent from the rest for a short period after all the evidence in the case had been presented. The judge expressed the opinion that a fact was proven and the violation immaterial. Contrary to this expression of the lower court judge, however, Gaston held that in a criminal case and especially in one where life was at hazard the prisoner was to be considered as standing upon all his rights and waiving nothing on the score of irregularity, and that such separation was forbidden in all cases,

---

[44] 20 *North Carolina Reports*, 84. "Wilmington & Raleigh R.R. Co. *vs.* Baker."
[45] 25 *North Carolina Reports*, 193. "State *vs.* Morgan."
[46] Kent to Gaston, Oct. 7, . . . Gaston MSS.

because it tended to destroy the purity of jury trials. To his mind such an attempt to vest the judge "with the irresponsible and uncontrolable power to dispense with positive legal requirements, intended to secure the upright administration of justice, and to declare when their non-observance should and when it should not invalidate what was done in contempt of them, ought not to be under a government of laws." He felt that trial by jury should be kept under the protection of the law and not left under the patronage of its ministers.[47] He maintained that one of the duties of judges was "to hand down the deposit of the law as they had received it, without addition, dimunition, or change; although it was a duty the faithful performance of which was exceedingly difficult—they must refrain from all tempting novelties, listen to no suggestion of expediency, give in to no plausible theories, and submit to be deemed old fashioned and bigoted formalists, at a time when all around were running on in the supposed career of liberal improvement."

Gaston always showed a remarkable respect for the dignity of the law, combining with this a deep humility and a knowledge of human limitations, admitted only by those really great in soul and mind. Reading between the lines one is forced to notice this in many of his decisions, as in one in which he stated that a certain opinion was his own and not that of the court, so he would be very willing to reconsider and discard his view should it prove erroneous. On another occasion he expressed regret that a case involving questions worthy of discussion had been submitted without it and manifested his willingness for a rehearing.

By inference he once rebuked the legislature, but at the same time upheld its decree. In so doing he declared that it was the duty of the court to carry out the enactments of the legislature and that the court had no right to judge of their policy, so it would be a manifest departure from the province of judicial interpretation to treat as a fraud what the law sanctioned. He likewise felt it necessary to adhere steadily, in so far as possible, to the decisions of his predecessors because carelessness in this respect could scarcely fail to involve them in error and throw the law into confusion. When interpretations were found to conflict the latest must be presumed correct, although not so conclusively as to forbid examination. Concerning constitutions

[47] 18 *North Carolina Reports,* 541.

he warned that they were "not themes proposed for ingenious speculation but fundamental laws ordained for practical purposes. Their meaning once ascertained by judicial interpretation and contented acquiescence they were laws in that meaning until the power that formed changed."[48]

During the two terms of the Supreme Court Gaston was very busy, but he found that he had more leisure time than when he had been in private practice. Toward the close of his life he began to make yearly visits to his daughter, Susan, who lived with her husband in New York, their estate being next to that of Gaston's old friend, Chancellor Kent. On one of these visits Gaston purchased a library for the Supreme Court of North Carolina at a cost of $1,361.75.[49]

After his admittance to the court Gaston declined to take part in politics. In the Whig campaign of 1840 he was asked by a committee of Whigs from Alabama to attend a rally there, but to this invitation he replied:

> There is a deeply rooted sentiment with the people of "the good Old North State" that their judges ought to keep aloof from political contention. The unaffected respect that I feel for all those habitual opinions which give a character to the state and which cannot be uprooted without injury to its fundamental institutions . . . makes this inaction . . . of high public expediency. . . . There should be in a community a class of citizens qualified with their mild influence . . . to check excesses.[50]

He was also asked to accept different posts of honor and trust, but he refused to consider these. When the Whigs captured the legislature of North Carolina they offered to elect him to the United State Senate; when the two North Carolina Senators, who were finally elected, reached the Capital they wrote back to Gaston stating their intention to give his name to the President should that individual offer their state either the position of Secretary of State or Minister to England—but to both proposals he returned a steadfast refusal. To Susan (who had been disappointed in his rejection of high honors), after assuring her of his own satisfaction in his position, he concluded thusly:

> To administer justice in the last resort, to expound and apply the laws for the advancement of right and the suppression of wrong is an ennobling and indeed a holy office, and the exercise of its functions while it raises my mind above the mists of earthborne cares and passions, always seems

[48] 20 *North Carolina Reports*, 385. "State *vs.* Manuel."
[49] Charles L. Coon, editor, *Public Education in North Carolina*, p. 728.
[50] Gaston to Whigs of Alabama, Sept. 29, 1840. Gaston MSS.

to impart fresh vigor to my understanding and a better temper to my whole soul.[51]

Perhaps no better expression than this can be made to sum up his philosophy and application of the law—the advancement of right and the suppression of wrong. His entire ten years upon the bench of the Supreme Court were spent toward this end. Concerning this his contemporary, John H. Wheeler, said: "The manner in which he discharged his important duties, his profound and varied literature, his extensive legal knowledge, his severe and patient research, his polished and clear compositions, render his opinions from this exalted tribunal, not only monuments of legal learning, but models of elegant literature." Judge William H. Battle thought his decision in State *vs.* Will and the dissenting opinion in State *vs.* Miller "among the finest judicial arguments to be found in any country." His opinion in State *vs.* Manuel was cited in 1856 by Judge Curtis of the United States Supreme Court in his dissent in the famous Dred Scott case; in this dissent Judge Curtis stated that Gaston's opinion had been declared sound law in several other states as well as North Carolina. Kemp Battle, famous jurist of North Carolina, once declared that Gaston did not have the reputation of Ruffin as regards law, but had a broad, statesmanlike view of legal principles and was much more a statesman than the latter.[52] It has been said of Gaston that "belonging to a minority faith, he probably defended more minority causes than any man of his day."[53] Probably his greatest contribution to the judicial code of his state was his declaration of the human dignity of the Negro. He ameliorated the hard lot of the slaves whenever possible, and protected them from brutal conduct of irresponsible and cruel masters; he aided the free person of color by declaring him a citizen of the state of North Carolina. With broad, statesmanlike decisions he led the way to a policy of humanity and generosity to the humble and unfortunate. Of a deep religious nature and training, his virtues and deeds shone forth not only in his daily life but also in his legal philosophy, principles and practice. No judge of North Carolina made a greater impression upon the common people, none left behind such a deep memory as his name commands.

---

[51] Gaston to Susan, Dec. 22, 1843. Gaston MSS.
[52] Kemp P. Battle, *An Address On The History of The Supreme Court of North Carolina, 1889*, p. 59.
[53] Holt, "The Supreme Court of North Carolina and Slavery," p. 22.

DISLOYALTY TO THE CONFEDERACY IN SOUTHWESTERN VIRGINIA, 1861-1865[1]

By Henry T. Shanks

In 1861 southwestern Virginia was almost as much a distinct section as was the Tidewater.[2] It included the counties between the Blue Ridge on the east, Kentucky and what became West Virginia on the west, Tennessee on the south, and the James River on the north.[3] It embraced about one-fifth of the territory of the old state. Unlike the northwestern part of the Virginia of 1861, where Union sentiment prevailed from the beginning,[4] the southwestern counties included a predominantly Southern population. Its farmers owned an appreciable number of slaves, and in the decade of the fifties the rate of increase of slaves there was more rapid than in the eastern portion of the state.[5] The people were linked to Richmond by a railroad and by marketing ties. They were bitterly hostile to abolitionism, to the Republican party, and to the election of Lincoln.[6] Moreover, their loyalty to the Southern cause was demonstrated by their strong support of secession. In the Virginia secession convention, eighty-five per cent of the delegates from these southwestern counties voted for the ordinance of secession, as contrasted to eighty-four per cent of those from east of the Blue Ridge and thirty-seven per cent of those from the northern part of the Valley.[7] When the first call for troops was made, the response in the southwestern counties was equal to that from other portions of the state.[8]

These statements are not presented to show that the people of this region were unanimous for the Confederacy; for later developments prove their loyalty was not deep rooted. Instead, these suggestions are made to substantiate the thesis that south-

---

[1] A fellowship from the General Education Board and a grant-in-aid from the Social Science Research Council for 1935-36 made possible the research for this article.

[2] The state auditor usually divided Virginia into five sections: Tidewater, Piedmont, Valley, which in his reports was interpreted to include that portion of the Valley north of the James, the Southwest, and the Northwest.

[3] In this article the following counties are included in the southwestern part of the state: Botetourt, Buchanan, Carroll, Craig, Floyd, Giles, Grayson, Lee, Montgomery, Pulaski, Roanoke, Russel, Scott, Smyth, Tazewell, Washington, Wise, and Wythe. I have omitted from this list the southwestern counties which later became a part of West Virginia.

[4] C. H. Ambler, *The Makers of West Virginia and Their Work,* pp. 7-10; Henry T. Shanks, *The Secession Movement in Virginia, 1847-1861,* p. 7.

[5] The growth of slave population in southwest Virginia, 1850-1860, was 14.5% and that of the Piedmont was 6.4%. *U. S. 8th Census,* vol. on agric., pp. 243-5.

[6] Shanks, *Sec. Mov't.,* p. 138.

[7] The delegates from all except Lee, Scott, and Wise counties voted for secession. Shanks, *Sec. Mov't.,* pp. 205-206.

[8] Shanks, *Sec. Mov't.,* p. 209.

western Virginia, at the beginning of the struggle, was loyal to the South. The reversal of sentiment from intense loyalty to hostility is taken as representative of similar changes in sentiment in many parts of the Confederacy. A study, therefore, of the southwestern counties of the Old Dominion should throw light on the decline of loyalty throughout the South.

The enthusiasm of the people from the southwestern part of Virginia remained strong throughout 1861. The hardships which appeared in 1862 and which increased with each succeeding year, the inefficiency and confusion in Confederate administration, and particular local grievances soon brought forth expressions of dissatisfaction. Partisans who from the first tried to build an anti-Davis party were quick to sense and to take advantage of the changing sentiment.[9] This was especially true of former Whigs who always blamed the Democrats for having provoked the conflict. Even some supporters of Davis were led to believe that the President was trying to make himself a dictator.[10] They accused Davis of appointing army commanders whose only merit was loyalty to him, of suspending the writ of habeas corpus and imposing martial law unnecessarily, of enforcing the tax-in-kind and conscription harshly, and of impressing slaves and supplies against the interest of the people.[11] These war measures did produce hardships, which Davis without success tried to alleviate. In addition to these complaints and grievances common to the whole Confederacy, southwestern Virginians felt that they were unfairly treated in the removal of General Floyd. John B. Floyd, a politician of questionable reputation, had served as governor, congressman and cabinet officer of the United States. When the war started he led the southwestern troops in many minor battles. These things made him a popular hero in his own section of the state. When he was rather summarily dismissed after his questionable conduct at Fort Donelson, many of his compatriots of Virginia believed that he had been removed from command because the President disliked him personally and because his aggressive method of fighting did not conform

[9] In Virginia the anti-Davis or states' rights party was never as strong as it was in some of the other Southern states, especially North Carolina and Georgia. Nevertheless there were many conflicts between the state governor and the legislature on one side and the Confederate authorities on the other. An analysis of the editorials of the Richmond, Lynchburg, Lexington, and Staunton newspapers and of the letters received by the Confederate war department reveal how extensive this feeling was.

[10] For a discussion of this fear in the several Southern states see F. L. Owsley, *States Rights and the Confederacy*.

[11] Georgia Lee Tatum, *Disloyalty in the Confederacy*, pp. 13-21.

to the war department's more unpopular and deliberate West Point style.[12]

After Davis refused to reinstate Floyd to a command, the Virginia legislature, in compliance with southwestern pressure,[13] created a state army of 10,000 and placed Floyd at its head.[14] After it was organized, this force caused further friction. The state officers, contrary to the law, filled their ranks by recruiting men subject to Confederate call.[15] Some even encouraged men in the Confederate army to desert and join the state forces.[16] When one officer went to Floyd's camp to seize some deserters, he was threatened with arrest.[17] In like manner there is evidence to show that Confederate officers induced men in Floyd's army to join them.[18] The two forces also quarrelled over supplies. The commissary of each seized for its army's consumption the food designed for the other.[19] Floyd did not coöperate with the Confederates in battle and refused to take his men out of the southwestern section. Although this state force was abolished in 1863, the feeling it engendered was partly responsible for the Confederacy's inability to obtain many recruits thereafter in that section.[20] It was also partly responsible for the disfavor with which Confederate generals of the southwestern army were held. Davis found it necessary to change commanders of that department six times without finding one who escaped constant criticism from the local citizens.[21]

---

[12] The editor of the Abingdon *Virginian,* April 18, 1862, declared that Floyd "is unfortunate enough not to be a brother-in-law or kinsman of President Davis. We . . . do know that he is a gallant officer—that his whole soul is in his work—that . . . his command have the most unbounded confidence in him."

[13] Floyd was unusually popular in southwestern Virginia. J. P. Holcombe, a congressman from Albemarle County, wrote Davis, April 25, 1862: "From personal knowledge on the part of some of them, and from private letters, oral communications of prominent citizens, and extensively signed memorials which have been received by others, the delegation are firmly persuaded that General Floyd is capable of rendering valuable service . . . in southwestern Virginia." He reminded the President that Floyd knew the country and held the confidence of the people there. Letters received by the Confederate War Department, National Archives. (Hereafter cited as Letters Rec'd by W. D.) Other letters in this same collection supporting Holcombe's view were from W. K. Huskell and Walter Preston from Abington, April 27 and 26, respectively. See also *Daily Richmond Examiner,* April 22, 1862.

[14] There never were over 4,038 actually enrolled. "Consolidated Returns of the State Troops under Command of Major General Floyd, Jan. 1863," Doc. 12 of *Messages of the Governor and Accompanying Documents, 1862-1863,* p. 8.

[15] "Communications Transmitting the Correspondence Between the State and Confederate Officers Relative to Conscription, Oct. 1, 1862," Doc. 4 of *Journal of the Virginia Senate and Accompanying Documents,* 1862-63, pp. 7-8. (Hereafter cited as Doc. 4, *Jour. of Sen. 1862-1863.*)

[16] Doc 4, *Jour. of Sen. 1862-1863,* p. 7. Gen. Sam Jones to Sec. Seddon, Dec. 16, 1862, Letter Book of W. Va. and East Tenn. of Gen. Jones. MS. (National Archives).

[17] Doc. 4, *Jour. of Sen., 1862-1863,* p. 7; Major J. B. Dorman to Lt. Col. J. C. Shields, Oct. 13, 1862, Letters Rec'd by W. D.

[18] Maj. P. G. Breckinridge to W. R. Staples, Mar. 7, 1863, Letters Rec'd by W. D.; *The War of the Rebellion: a Compilation of the Official Records of the Union and Confederate Armies,* ser. 1, vol. LI, pt. 2, p. 656. (Hereafter cited as *O. R.*)

[19] Gov. John Letcher to Sec. Seddon, Dec. 10, 1862, and Walter Preston to Sec. Randolph, Nov. 5, 1862. Letters Rec'd by W. D.

[20] Gen. Sam Jones to Sec. Seddon, Mar. 29, 1863. Letters Rec'd by W. D.

[21] These were Generals H. C. Heth, Humphrey Marshall, John Echols, Sam Jones, William Loring, and J. C. Breckinridge.

In addition to the military grievances, the people were antagonized by the impressment of supplies and slaves. Early in the war the Confederate currency depreciated to such an extent that farmers were reluctant to accept it in exchange for their products. It frequently became necessary, therefore, for the War Department to secure supplies through seizure. In the enforcement of impressment, many officers, especially in the Valley and southwestern Virginia, overstepped the bounds of the law. The law provided for seizure, in an emergency, of all food above that required for the support of the owner's family.

Great opposition to impressment developed in most of the state.[22] It was contended that Confederate agents paid such low prices for the things impressed that the incentive to produce was destroyed. The Abingdon *Virginian* carried an editorial to the effect that "many farmers of the county . . . have determined to put out as little corn and other grains as possible."[23] In one case, which is typical of the contemporary reports, the government impressed corn at $1.30 a bushel when it was selling in the open market for $2.45. This, it was added, is "an act of tyranny and oppression, unconstitutional and unjust."[24]

Not only was there opposition to impressment in general, but, in addition, much animosity was developed in southwestern Virginia by the methods employed by certain agents. A letter of "Civis" in the Lexington *Gazette,* April 20, 1864, stated that men without sufficient food had had their corn impressed by force. Some agents, he continued, drew pistols to enforce their demands. All the seed corn and all reserved food for the family were taken. A sheriff of Washington County wrote his congressman, March 3, 1864, that the impressment agents had taken nearly all the food from the families of his county. Nothing, he said, had been left for the stock or for seed.[25] This was an unusual case of impressment in behalf of General Longtreet's hungry army which passed through. He later restrained his men. Nevertheless, the story was retold to make enemies of the government and to spread discontent.[26] Governor William Smith in his regular message to the General Assembly, December 7, 1863, declared

[22] Richmond *Whig,* Mar. 3, 1863; Staunton *Spectator,* Mar. 3, 1863; Lexington *Gazette,* Jan. 29, 1863.
[23] Quoted in Richmond *Whig,* Mar. 3, 1863.
[24] Lexington *Gazette,* Jan. 29, 1863.
[25] Letters Rec'd by W. D.; S. H. Lewis to J. B. Baldwin, Nov. 4, 1864, Letters Rec'd by W. D.
[26] Telegram of J. W. Sheffey to Gen. J. C. Breckinridge, April 14, 1864, Letters Rec'd by W. Va. and East Tenn. Dept.

that the manner in which impressment had been carried out in Virginia had produced "uncalculable mischief." Men, he continued, unqualified for their posts, had conducted their departments in such ways as to cause a "multitude of well meaning men great dissatisfaction with the confederate government."[27] Some of these stories of unfair impressment were without foundation and grew with the telling.[28]

The scarcity of grain caused many to support a movement against its impressment for government distilleries. Petitions from citizens of Wythe, Floyd, Montgomery, Patrick, and Roanoke counties were sent to the legislature urging the enactment of a law to prevent all distillation of grain.[29] As early as February, 1862, it was claimed by the people of Roanoke County that they were a "ruined people" if something were not done to save the corn supply.[30] In Rockbridge and Augusta counties just north of the section under study, 500,000 gallons of whiskey were made each year for the Confederate government.[31] According to the Lexington *Gazette,* February 3, 1864, the Confederate government refused to accept whiskey which was below a certain standard, and, therefore, government distillers deliberately produced sub-standard whiskey which they could sell to the general public at $25 a gallon against the government price of $3 a gallon for acceptable liquor. And what hurt most, this editor continued, was the fact that the corn used for this manufacturing came by impressment.[32] The Augusta County court, December 28, 1863, declared to the Secretary of War that distillation was "an unmitigated nuisance" and that the suffering for food there would be great during the winter if the government did not cease its policy of imprisonment for distilleries.[33]

Similar complaints developed over the impressment of slaves to work on fortifications and in the salt mines. These impressments frequently resulted in the death or impairment of the health of the slaves.[34] The fact that the slaves were paid for in certificates which could not be redeemed until after the war

---

[27] *Message of the Governor and Accompanying Documents, 1863-1864,* pp. vi-vii.
[28] William Duncan to Gen. John Williams, Feb. 13, 1863, Letters Rec'd by W. D.
[29] Legislative petitions in Virginia State Archives.
[30] Petition of citizens of Roanoke County, Jan. 8, 1862.
[31] Lexington *Gazette,* Nov. 18, 1863.
[32] The same idea was advanced by the editor of the Staunton *Spectator,* Jan. 26, 1864.
[33] Letters Rec'd by W. D.
[34] There are many reports of ill-treatment of the slaves working on the fortifications. The sheriff of Franklin County declared that the slaves which were last sent were "shockingly abused." Letter to Gov. Smith, Jan. 10, 1865. Executive Papers of Gov. Smith Va. State Archives.

caused additional dissatisfaction.[35] Federal raids and the underground railroad were responsible for other slave losses. As a result, many planters lost half of their laborers. This endangered the food supply.[36] When near the end of the war Davis proposed arming the slaves, planters began talking of rebellion against what seemed to be an autocratic government.

These grievances with the Confederate government resulted in a gradual change in sentiment from great enthusiasm for the Southern cause in 1861 to moderate loyalty in 1862, indifference in 1863, opposition in 1864, and open rebellion in 1865. The extent of disloyalty prior to 1864 is difficult to measure. It was usually under cover and took the form of attacks on the administration and its policies without an expression of doubt as to the outcome and justice of the Confederate cause. There were, however, definite signs of disaffection even in 1862. General Humphrey Marshall wrote President Davis, March 2, 1862, that he had spent the past four weeks in Russel and Wise counties and that the people there refused to volunteer. Instead, he continued, they acted as though they had no interest in the war. Men of property were hoarding grain, hay and bacon, and "on every side I see unwillingness to lend a helping hand." A whole district in Wise County, he said, was "as false as could be."[37]

The defeats in the early part of 1862 caused some Confederates to lose hope.[38] Lee County officials, because of the fact that they bordered on the Unionist sections of Kentucky and Tennessee, asked the governor to have their troops return home to protect them from the local Unionists.[39] They explained that they had to fight a civil war on their own border. Some loyal citizens had to take to the mountains for safety.[40] Major Thomas Rowland reported from Abingdon that it was hard to tell the loyal from the disloyal because the loyal were "so much alarmed" that through fear they did not show their colors.[41] Many of the sixty-third Virginia Regiment of the militia deserted when they were ordered to leave the southwest and join the Con-

---

[35] Governor's message Dec. 7, 1863, *Messages of Gov. and Accompanying Documents,* p. xix.
[36] Henry Derkins, presiding justice of Floyd County, to Gov. Smith, Jan. 7, 1865. Exec. Papers of Gov. Smith.
[37] *O. R.,* ser. 1, vol. LII, pt. 2, pp. 283-284.
[38] A. A. Chapman to Gov. Letcher, Feb. 28, 1862, Miscellaneous Letters and Papers (Va. State Archives).
[39] Henry J. Morgan to Gov. Letcher, Mar. 25, 1862, *Calendar of State Papers,* XI, 204-205.
[40] *Daily Richmond Examiner,* Oct. 20, 1862.
[41] Memoirs of the War, Diary and Correspondence, edited by a Virginia General. MS. (Confederate Museum), Oct. 7, 1863.

federate army before Richmond. Their colonel not only refused to interfere with these deserters but also refused to go himself.[42]

The extent of desertion and the ineffectiveness of the conscription acts substantiates the contention that disaffection was widespread. In these two respects southwestern Virginia was not unlike, except in degree, the rest of the South. On July 17, 1862, in a "confidential circular," the Secretary of War reminded the state governors that the armies were "so much weakened" by desertions and absences without leave that the Confederacy was unable to reap the fruits of the victories of the summer. He then reminded the chief executive of Virginia, in his letter to him, that he had resorted to court martials, pressure on the enrolling officers, and, with the governor's consent, the aid of the sheriffs, constables and jailors, and, yet, "the evil continues." The only hope rested on the mustering of public opinion against deserters.[43] In his annual report to President Davis, November 26, 1863, the Secretary of War indicated that the effective force of the army was generally little more than a half, and never two-thirds of the number in the ranks. On an average, he continued, one-third of the army was unnecessarily absent.[44] He estimated that the armies of the Confederacy lost from sickness, desertions, and wounds, 80,000 men during 1863.[45]

Many deserters returning to their homes in the Unionist sections of North Carolina, Tennessee, and the Lower South passed through southwestern Virginia.[46] This increased desertion in the latter region. William A. Burwell of Franklin County wrote the Secretary of War, August 6, 1862, for authority to arrest local deserters as well as those passing through his county, for there were "a great many" and they "come in nearly every day in squads of from four to ten. It is alarming to see it and no one seems to trouble themselves to arrest them." No one, he concluded, was willing to assist him because he supported an unpopular cause.[47] Captain B. P. Morrison warned the people that if they "would not encourage desertion by receiving, entertaining and employing stragglers, the effective force of the army would be increased at least one fourth."[48] Major J. B.

---

[42] Gen. Sam Jones to Gen. Cooper, Dec. 31, 1862, Letter Book of W. Va. and East Tenn., II, 233.

[43] *O. R.*, ser. 4, vol. II, 7.

[44] *O. R.*, ser. 4, vol. II, 975.

[45] James A. Seddon, *Report of Secretary of War with Accompanying Documents, Nov. 26, 1863*, p. 7.

[46] Anonymous letter from Buckingham County to Secretary Seddon, Aug. 10, 1863. Letters Rec'd by W. D.

[47] Letters Rec'd by W. D.

[48] Abingdon *Virginian*, Aug. 8, 1862.

Dorman, enrolling officer of the section, wrote his commander, Lieutenant Colonel J. C. Shields, September 11, 1862, that there were between one and two hundred deserters in Carroll County. In "Wythe, Carroll, Floyd, etc." the number of deserters, he declared, is "scandalously grave and is increasing."[49]

Beginning with late 1862 deserters organized into hostile bands of from two to forty or more and molested the loyal citizens. In 1862 citizens of Floyd County wrote the governor of numerous crimes which were being committed by these bands, who, according to one of these letters, not only endangered the lives of the innocent but threatened death to any one who reported them.[50] The justices of Washington County reported to the legislature that the bands there were beyond their control. They roamed over the county and robbed citizens indiscriminately of money, clothing, horses, saddles, grain and forage.[51] In Scott County citizens asked for martial law to break up the lawlessness of deserter brands.[52] Companies of cavalry which were sent to arrest the marauders fought them in a pitched battle before they were able to assert their authority. Even those arrested were sometimes recaptured by other deserters or, out of fear of the bands, were released by local officials.[53]

The lukewarm feeling which had developed by 1863 was responsible for the small number of men enrolling in the army. Throughout the South many felt that conscription was unconstitutional. Governor Letcher and General Floyd in Virginia were of this view.[54] The governors of North Carolina and Georgia made its enforcement even more difficult than in Virginia.[55] In southwestern Virginia the enrollment was small. Major J. B. Dorman, the district enrolling officer, reported on October 13, 1862, that for the past month the collection of conscripts in his district proceeded at "a very unsatisfactory rate. From the counties of Wythe, Smyth, Carroll, Grayson, Tazewell, and Russell . . . no returns have been received and for the latter two none at any time."[56] Efforts to have men unfit for full duty assigned to the quartermaster or other staff departments failed com-

---

[49] Letters Rec'd by W. D.

[50] Tazewell Price to Gov. Letcher, Nov. 16, 1862. Letcher's Executive Papers, Va. State Archives. Several other letters are in the same collection.

[51] Letters Rec'd by W. D.

[52] Petition of citizens of Scott County, Letters Rec'd by W. D.

[53] Gen. Sam Jones to Gen. Cooper, Feb. 4, 1863. Letter Book of W. Va. and East Tenn., II, 287; Henry Derkins to Gov. Letcher, Oct. 31, 1863. Letcher's Executive Papers.

[54] John B. Floyd to Gov. Letcher, June 29, 1862. Doc. 45 of *Messages and Papers of the Governor and Accompanying Documents, 1862-1863*, p. 82.

[55] A. B. Moore, *Conscription and Conflict in the Confederacy*, chapter XII.

[56] Maj. J. B. Dorman to Lt. Col. J. C. Shields, Oct. 13, 1862. Letters Rec'd by W. D.

pletely.[57] Frequently men arrested for violating the conscription act were excused by loyal judges under writs of habeas corpus. In Giles County, for instance, General Henry Heth reported that "men of influence" who were working for individual advancement tried to prevent men from eighteen to thirty-five joining his command. He therefore felt that only martial law "can arrest this ruinous policy."[58] As a counter measure, over-zealous Confederate officers sometimes violated the law in order to increase enrollment. Floyd reported to the governor that "men are seized in the fields at work by press gangs armed with gun and bayonet, without a moment's notice, and dragged away to the ranks without ever having been permitted to go to their houses for a change of clothes."[59] General Heth issued an order, which upon the command of the war department was soon revoked, to the effect that he would have conscripts shot wherever they were found unless they reported themselves to him within five days.[60] This order created such bad feelings that his successor, General William Loring, was embarrassed in the execution of the law. He had to apply for the suspension of the writ of habeas corpus in Giles, Pulaski, Montgomery, Roanoke, Wythe, and Bland counties because of the inclination of the judges there to grant writs to excuse deserters.[61]

Under the conscription laws many people were exempted from military service. Governor Letcher reported to the legislature, March 25, 1862, that the number in Virginia violating the state law of conscription was "absolutely startling," especially because of the physical disabilities. He blamed the family physicians for being too lenient with the ones called up for examination.[62] Under the Confederate law state officers were exempt. In southwestern Virginia this became a serious problem, especially in 1864. Many young men became candidates for state offices in order to escape military service.[63]

As the chances of Confederate victory diminished and the war's hardships increased, the disaffection of 1862 and 1863 became much more pronounced in 1864 and 1865. A secret society, the Heroes of America, became active and strengthened the anti-

---

[57] Dorman to Shields, Oct. 13, 1862. Letters Rec'd by W. D.
[58] Gen. Heth to Sec. Randolph, May 14, 1862. Letters Rec'd by W. D.
[59] Doc. 45, *Messages of the Gov. and Accompanying Docs., 1862-1863,* 82.
[60] W. R. Staples to War Dept., June 15, 1862, Letters Rec'd by W. D.; *O. R.* ser. 1, vol. LI, pt. 2, p. 584.
[61] Gen. Loring to Secretary of War, Aug. 3, 1862. Letters Rec'd by W. D.
[62] Doc. 45, *Messages of the Gov. and Accompanying Docs., 1862-1863,* 30.
[63] See below, pp. 132, 133.

Confederate forces.[64] There are several theories as to the origin of the order. Some credit it to Henderson Adams, who later was State Auditor during Governor W. W. Holden's administration in North Carolina.[65] According to Henry Questine of Montgomery County, Virginia, it was brought into the southwestern counties of his state by Horace Dean of North Carolina in the fall of 1863.[66] Another contention is that the order was brought into the South by the Federal army and that Grant and Lincoln were members.[67] There is also doubt as to when it originated and when it came into Virginia. Activities similar to those of the Heroes of America were carried on in southwestern Virginia in 1862.[68] Miss Georgia Lee Tatum credits its entrance into Virginia to this period.[69] The first reference to it was in 1863.[70] By the spring of 1864 it was sufficiently well organized and active for loyal citizens to write the governor many letters about conditions.[71] Investigators who were sent into the region concluded that it originated in remote localities and so for "a long time" escaped detection.[72]

On April 6, 1864, a citizen of Floyd County wrote the governor that there "exists in this county a secret organization whose avowed object is to stop this war. . . . Almost if not entirely every deserter in the County—and every 'union' man and Lincoln well wisher in the county are believed upon indubitable grounds to be members of the society."[73] In reply to a letter of inquiry from the governor, Dr. A. J. Hoback, who had the governor's confidence, wrote later in April that the members of the order denied that it was a treasonable society. Instead, they held that it was a charitable organization designed to mitigate the horrors of war. Although Dr. Hoback was unable to name any members, he stated that it was generally believed that a "very large

[64] Sometimes in southwestern Virginia the society was called "Heroes of 1776." H. J. Leory to the Secretary of War, July 11, 1864, Letters Rec'd by W. D. In Alabama the society was called the Peace Society, and it was very active. See Bessie Martin, *Desertion of Alabama Troops from the Confederate Army. A Study of Sectionalism,* pp. 114-120.

[65] J. G. deR. Hamilton, "Heroes of America," *Publications of the Southern History Association,* XI, 10.

[66] Tatum, *Disloyalty in Conf.,* 32; *O. R.,* ser. 4, vol. III, 806.

[67] Tatum, *Disloyalty in Conf.,* 33; Daniel H. Hoge, a member, admitted to detectives that Federal officers knew about the order and that its members were not molested by Federal troops. *O. R.,* ser. 4, vol. III, 809. In his report to the Secretary of War, General Loring, November 1, 1864, stated that the headquarters of the order were within the enemy lines and that it was probably under the "guidance of intelligent and tactful traitors and foes." *O. R.,* ser. 4, vol. III, 802.

[68] See above, p. 123.

[69] Tatum, *Disloyalty in Conf.,* p. 158.

[70] Tatum, *Disloyalty in Conf.,* p. 158.

[71] See files of Miscellaneous Letters and Papers for several letters to the governor on this subject in the months of April and May.

[72] *O. R.,* ser. 4, vol. III, 803.

[73] Anonymous letter to Gov. Smith, April 6, 1864. Misc. Letters and Papers.

majority of the citizens of this county are in it." The members, he added, were made of those who were originally union men or those who were despondent of Confederate success. It included the deserters, unionists, a few slaveholders. He estimated that there were five hundred deserters in the county and that they were generally members, and were usually armed.[74] On September 11, 1864, the loyal citizens of Roanoke and Floyd counties petitioned the governor for protection against bands of 200 and 300 deserters of Franklin, Floyd, Roanoke, and Montgomery counties. They were led by Federal officers and constantly seized arms, horses, and other supplies of the loyal citizens. Some of the newly elected justices of the peace, the petition continued, were sympathetic to deserters and were giving aid to them.[75]

The Confederate authorities, about the same time, heard of the disloyal society and sent H. J. Leory to investigate. He employed a local lawyer, Nicholas F. Bocock, to help with the legal side, and engaged two detectives from Richmond to assist two local ones who, posing as members, learned the secrets of the society and uncovered its activities. As the detectives went around they pretended to be Northern agents trying to get through the lines. From early September until the middle of November, they visited various parts of the southwestern counties and gathered information which was sent to the Confederate war department.[76] From their reports and those of General John Echols, who was in command of that part of Virginia, a fairly completed picture is available.

According to these reports[77] the society was widespread, well organized, and dangerous. In September Leory reported to General Braxton Bragg at Richmond that he was "amazed at the extent of disloyalty." He estimated that there were eight hundred members in Montgomery County. There its members succeeded in electing the sheriff, justices of the peace, and other local officers. He was convinced that it extended into North Carolina, Tennessee, and even to Richmond and General Lee's army.[78] Secretary of War Seddon wrote Davis on November 9:

---

[74] Dr. A. J. Hoback to Gov. Smith, April 26, 1864. Misc. Letters and Papers.
[75] Executive Papers of Governor Smith.
[76] These reports are given in full in *O. R.*, ser. 4, vol. III, 806-816.
[77] Miss Tatum in her *Disloyalty in Conf.*, pp. 155-156, has already analyzed these published reports. Unfortunately she did not examine the additional unpublished records in Washington and Richmond.
[78] Jefferson Davis Papers Duke Univ.; *O. R.*, ser. 4, vol. III, 807.

It embraces some citizens of influence hitherto unsuspected. In several counties its members exercise a controlling influence over witnesses and juries. With success, its leaders have become more ambitious. They have lately conceived the idea of forming a new state of southwestern Virginia and within their association they have elected officers whom they style governor, lieutenant-governor, brigadier general, and judges. They claim to have at least one regiment[79] in our army in which the majority of soldiers are members, and in many other regiments members of the society are actually engaged in encouraging desertion and spreading the ideas of the society.[80]

General Echols declared that the order had recently grown in size and importance "with great rapidity."[81] A whole regiment of Hood's army, which was placed on picket duty, went over in a body to the enemy.[82] In an interview the detectives had at Fincastle, they learned that at least 1,000 members had passed through that town during the year. An officer of the society estimated that three-fourths of the population of Montgomery County and nearly all of the people in Washington, Floyd, Giles, and Scott counties were affiliated.[83] John W. Johnston, nephew of General Joseph E. Johnston, said that the society was "growing fearfully" around Abingdon.[84]

The society was supposed to include most of the deserters, all former Union men, the disheartened Confederates, and religious sects, such as the Dunkards, who were opposed to all wars. It included many prominent individuals. In Montgomery County, for instance, several justices of the peace, the sheriff, several Methodist and Dunkard preachers, a lawyer who before the war ran for lieutenant governor,[85] many professional men, some planters, the police, and probably a member of the legislature were members of the society. John Camper of Fincastle was supposedly the head of the society in southwestern Virginia.[86]

The society was organized with regular officers. It had a constitution, a grip, a sign, badges, and pass words for recognition. The following conversation between the detective and Daniel H. Hoge, a member, illustrates their method of identification. After passing the sign or showing his badge, the detective, Thomas McGill, opened the conversation by stating that:

---

[79] This was the 54th Va. regt. The 22nd Va. had a similar reputation.
[80] *O. R.*, ser. 4, vol. III, 803.
[81] *O. R.*, ser. 4, vol. III, 812-13.
[82] *O. R.*, ser. 4, vol. III, 813.
[83] *O. R.*, ser. 4, vol. III, 807, 816.
[84] *O. R.*, ser. 4, vol. III, 812.
[85] Daniel H. Hoge.
[86] *O. R.*, ser. 4, vol. III, 809, 810, 813.

"These are gloomy times here."
Hoge: "Yes, they are gloomy."
McGill: "Yes, but we are looking for better."
Hoge: "What are you looking for?"
McGill: "A red and white cord."
Hoge: "Why a cord?"
McGill: "Because it is safe for us and our families."[87]

After these answers from McGill there was no doubt in Hoge's mind about McGill's membership in the order. At other times the pass words were simpler. When one was approached with "three" his reply should be "days."[88]

In its early days the society was a benevolent association. Non-members were informed even later that it was an organization designed to mitigate the horrors and cruelties of war.[89] Later developments, however, prove that its real purpose was to assist the Federals and to break down the morale of the Confederates. In his report to Secretary Seddon, November 8, 1864, Nicholas F. Bocock summarized its purposes as follows: (1) encourage and facilitate desertion from the Confederate army; (2) protect deserters and assist them in avoiding arrest; (3) give information of value to the Federal forces; (4) warn the Federals of meditated attacks on them; (5) inform the Federals of the position, movements, number of troops, and commanders of the Confederates; (6) guide the Federals through the section; (7) point out for destruction the property of the loyal citizens; and (8) do everything else possible for their own and the Federals' protection and for the defeat of the Confederate cause.[90] The society was known to most of the Federal officers in the southwestern section. Nor were its members molested by invading Federal forces.[91]

The leaders of the society tried to induce the poor to join by promising a distribution of the wealthy planters' property.[92] But their most effective and dangerous work was the stimulation of desertion and the protection of deserters. Desertion from Tazewell, Lee, and Scott counties was so widespread that a commanding officer recommended furloughs of sixty days as a means of reducing this evil. In two Virginia regiments only two

[87] *O. R.*, ser. 4, vol. III, 809.
[88] *O. R.*, ser. 4, vol. III, 810.
[89] Dr. A. J. Hoback to G. W. Munford, April 26, 1864. Misc. Letters and Papers.
[90] *O. R.*, ser. 4, vol. III, 814.
[91] *O. R.*, ser. 4, vol. III, 809.
[92] *O R.*, ser. 4, vol. III, 805.

hundred could be found at roll call.[93] The members of the society broke into jails, rescued and guided deserters to places of safety.[94] One of the detectives in the southwest attended a meeting of deserters at which fifty-one armed with Enfield rifles were present. The others were well equipped with other makes of guns. In the midst of deserters was a Federal officer in Union uniform. He admitted that he was there to recruit more men for the Union army.[95] The society sent members into the army to spread discontent.[96] By signals such as blowing horns, they warned deserters in hiding of approaching Confederate guards or officers.[97] They intimidated loyal citizens so that the latter were afraid to report the disloyal activities. The following letter written by a member of the society to a loyal citizen is indicative of many such threats:

> I deem it my duty to give you a good piece of advice. In the first place you had better attend to your own business and lit other peoples alone. I will more truthfully tell you that you will not be permitted to go to mill if you don't change your' mode of doing for everybody is aware of your reporting evry person you knew of I tell you certain your time is short if you dont quit supporting the guard when they are in your neighborhood for it is your delight to get them started after people do you no sir that evry body knows you and your family are fools in that respect you old Southern devil you nevr mind you will not gain anything by your reporting and suporting the gard some deserter will lay you aside never mind I hope you will get your dues yet you do not lack but one blue pill and some kind friend is Just waiting for you to ask for it and you will be acomedated you old rebel you had better go home and go to work and mind your own bisness and let other people alone and old Sall go home to hell where she belongs for cooking for the guard remember the within and obey it for to vengence is at hand.
>
> We, us & Co.[98]

By the winter of 1864 the southwestern counties were a liability to the Confederacy. Enrolling officers were unable to arrest deserters or to enroll new men. The problem of preserving order and protecting the loyal citizens had gone too far for the local authorities. Deserters and criminals were organized into bands even larger than those of the year before. They became "bold enough and strong enough to defy the police and the enrolling guard . . . and to make it necessary to send in

[93] Letter of Col. H. T. Bowers to Gen. Breckinridge, Dec. 12, 1864, Letters Rec'd by the W. Va. and East Tenn. Dept.
[94] *O. R.*, ser. 4, vol. III, 806.
[95] Leory to Gen. Bragg, Sept. 21, 1864, Davis Papers Duke Univ.
[96] *O. R.*, ser. 4, vol. III, 804.
[97] H. J. Leory to War Dept., July 11, 1864, Letters Rec'd by W. D.
[98] Enclosed in letter of the Floyd Guard to Col. Gardner, commander of Port of Dublin, Dec. 3, 1864. Letters Rec'd by W. D.

pursuit of them strong military detachments."[99] It was almost impossible to catch them because "they are supported and sustained in every way by the disloyal citizens of that section, and when pressed by superior force they scatter and take refuge in the great mountains."[100] In Montgomery, Floyd, and Giles counties Confederate bands were joined by Union men to make the lives and property of the loyal citizens insecure. Repeatedly the "unarmed and inoffensive citizens [were] fired upon."[101] Lee County "is said to be fearfully infested with bushwhackers: . . . deserters from our army and skulkers who have been hiding out."[102] In Patrick County an enrolling officer was sentenced by the local justices for shooting a harborer of deserters in the course of his effort to arrest the deserter.[103] Near Bristol wagons of supplies destined for the Confederate army were forced by bushwhackers to return home.[104] Deserters, one army officer wrote, were travelling at large, "burning and robbing houses, stealing horses, and in many instances killing citizens."[105] In a part of Scott County south of the north fork of the Holston River in a section called Many Links were bands of three and four hundred men, one half of whom were well mounted and armed. They worked in conjunction with the Federal army and the G. W. Kirk bushwhackers of eastern Tennessee. They drove all "cattle, horses, etc." of the loyal men into their camps.[106]

Various methods to put an end to these outrages were employed by the state and Confederate governments. Governor Smith on September 12, 1864, issued a proclamation ordering all state officers and the justices in particular to arrest or assist in arresting deserters and conscripts. These officers were authorized to call on any citizens to assist.[107] To the legislature he recommended changing the code of laws so that the court could more readily convict disloyal people.[108] He wrote the presiding justice of Floyd County, September 15, 1864, that he was "astonished"

---

[99] *O. R.*, ser. 4, vol. III, 813.
[100] *O. R.*, ser. 4, vol. III, 813.
[101] *O. R.*, ser. 4, vol. III, 805; *Daily Rich. Enquirer*, Nov. 1, 1864.
[102] *Daily Richmond Examiner*, Aug. 12, 1864.
[103] Capt. W. C. Ridgway to Gov. Smith, Nov. 15, 1864. Exec. Papers of Gov. Smith; Executive Journal of Va., MS., Dec. 8, 1864.
[104] Capt. W. B. Williams to War Dept. Oct. 11, 1864. Letters Rec'd by W. Va. and East Tenn. Dept.
[105] Lt. R. Chew Jones to War Dept., Dec. 27, 1864. Letters Rec'd by W. Va. and East Tenn. Dept. T. H. Catlett, an old minister, wrote Davis, Nov. 12, 1864, that the mountains of southwestern Va. were infested with "hundreds, perhaps thousands, if not tens of thousands of deserters, who had no way of living but to steal." He was afraid, therefore, of a famine. Letters Rec'd by W. D.
[106] J. B. Dunn to Gen. Breckinridge, Oct. 14, 1864. Letters Rec'd by W. Va. and East Tenn. Dept.
[107] Proclamation of Gov. William Smith, Sept. 12, 1864. Exec. Papers of Gov. Smith.
[108] *Journal of the Va. Senate and Accompanying Documents, 1864-1865*, 20.

that no steps had been taken to suppress such "scandalous proceedings." He called on the presiding justice to take immediate steps to punish disloyalty and to prevent unlawful gatherings.[109] As reports came into the governor indicating the extent of the disloyalty of the justices, he tried to avoid commissioning some of the justices. He refused to exempt from the army any who were of military age.[110] The state's attorney general advised the governor that the only grounds on which he could refuse the commission to a duly elected justice was malfeasance in office and disloyalty was not considered malfeasance. Therefore the only remedy was an act of the legislature. The legislature was jealous of the state's powers, and so urged the governor to exempt all duly elected state officers regardless of their age. Smith replied that he would exempt those absolutely necessary, and, therefore, when there were, for instance, twelve justices to a county he would only exempt four—he estimated that four were all the county needed—and whenever possible he would select those four from the men above forty-five.[111] In his proclamation on disloyalty he threatened to revoke the certificates of commission to those local officers whose "apathy and negligence continues."[112]

The presiding justice of Floyd County wrote the governor, January 7, 1865, that with two other justices he had appointed a patrol and its commander "who proceeded with his squad, indeed all the Citizens were summoned into service and spent at least a month."[113] But he did not indicate the effect of his efforts. In fact there is some doubt as to his own loyalty.[114] The Confederate agent, Leory, felt that the governor's effort to rid the counties of disloyal groups interfered with and impaired the success of his own efforts.[115]

In the summer of 1864, Leory as representative of the Confederate war department made many arrests of disloyal men and harborers of deserters, but he found it almost impossible to

---

[109] Exec. Papers of Gov. Smith.

[110] The collection of Miscellaneous Letters and Papers of the Governor for the year 1864 includes numerous letters from citizens of these southwestern counties protesting against the commissioning of recently elected men of military age. "A solger of the 27 Battalion Va. Vol." wrote from Scott County, June 5, 1864, naming two disloyal young men who were elected justices. The house of one of them, he said, was the rendezvous for deserters. He declared that if these men were given their commissions "I want you to sende me and honorbel discharge and if you do not I will discharge myself."

[111] The Opinion of Attorney General J. R. Techer, Jan. 13, 1864. Misc. Letters & Papers.

[112] Copy of Proclamation of Gov. William Smith, Sept. 12, 1864, Exec. Papers of Gov. Smith.

[113] Henry Derkins to Gov. Smith, Jan. 7, 1865, Exec. Papers of Gov. Smith.

[114] Gov. Smith to Derkins, Sept 15, 1864. Exec. Papers of Gov. Smith.

[115] *O. R.*, ser. 4, vol. III, 805-806.

convict in the local courts those arrested.[116] His counsellor, Nicholas F. Bocock, advised him that although the evidence against the suspects was convincing to him it would not stand up in court because the evidence was not first hand. Bocock, therefore, recommended the suspension of the writ of habeas corpus under which military forces could arrest the leaders and remove them to other counties thereby intimidating others.[117] On November 7, Davis took the matter to Congress in secret session. After presenting his evidence of the activities of the Heroes of America in southwestern Virginia, North Carolina, and Tennessee, he recommended the suspension of the writ.[118] His recommendation was referred to the judiciary committee of the House of Representatives which on December 8 passed a bill granting his recommendation. On December 20 the Senate approved a modified bill. The two houses failed to agree on a compromise between the two plans.[119] On March 13, 1865, Davis requested again an act suspending the writ.[120] The House passed such a measure but the Senate refused to approve the House's bill and refused to pass one of its own.[121]

Without the suspension of the writ of habeas corpus, the war department had to depend upon the local courts whose judges were frequently sympathetic to the disloyal element.[122] Persons who were reported to be loyal induced the justices of the peace to recommend leniency. Juries were favorable to the indicted.[123] In the numerous cases which Leory reported on to the war department, the usual comment written on the back of his reports was "released because of insufficient evidence."[124]

As a result of these activities and the failure of the authorities to suppress disloyal activities, the Confederate authority soon ceased to exist in southwestern Virginia. Supplies were not impressed. Desertion continued. J. H. Otey wrote General Echols: "When the whole neighborhood protects and harbors deserters" it was next to impossible to catch them.[125] In General Lee's army

---

[116] Leory to War Dept., July 11, 14, Nov. 4, Aug. 27, Oct. 12, 1864. Letters Rec'd by W. D. Seddon wrote Bocock, Dec. 3, 1864, that "numerous applications" for writs of habeas corpus were recently made to Judge Thompson at Staunton. Under his decision "many men" are being discharged from Early's army. Letter Book of W. D., XVIII, 350.

[117] Seddon to Davis, Nov. 8, 1864, *O. R.*, ser. 4, vol. III, 804.

[118] *Journal of Conf. Cong.*, VII, 266.

[119] *Jour. of Conf. Cong.*, IV, 331, 387; VII, 350.

[120] J. D. Richardson, ed., *A Compilation of the Messages and Papers of the Confederacy*, I, 548.

[121] *Jour. of Conf. Cong.*, IV, 721; VII, 771. W. R. Staples, the congressman from southwestern Virginia, voted against the suspension.

[122] Leory to War Dept., Jan. 27, Feb. 3, 10, 1865. Letters Rec'd by W. D.

[123] Leory to War Dept., Jan. 27, 1865. Letters Rec'd by W. D.

[124] Leory to War Dept., Jan. 27, Feb. 3, 9, 10, 1865. Letters Rec'd by W. D.

[125] Letters Rec'd by W. D.

whole companies and regiments not only from southwestern Virginia but, from the rest of the South were, by the spring of 1865, deserting and going home.[126] By February of 1865, sixty per cent of the troops in the army of southwestern Virginia and East Tennessee were absent.[127] Out of 593 on roll in the 25th Virginia cavalry in Early's army only 65 were present in January, 1865. This regiment was recruited from Lee and Scott counties.[128] On March 3, 1865, John S. Preston, head of enrollment, reported to the secretary of war that 100,000 deserters were scattered over the South. "The crime," he continued, "is so common that, in popular estimation, it has lost the stigma which justly pertains to it, and, therefore, the criminals are everywhere shielded by their families."[129] Southwestern Virginia, like much of the South, had lost the will to fight.

---

[126] B. I. Wiley, *The Life of Johnny Reb, The Common Soldier of the Confederacy,* p. 145.
[127] *O. R.*, ser. 4, vol. III, 1182.
[128] Seddon to Gen. Early, Jan. 14, 1865, Letter Book of W. D., XVIII, 457.
[129] *O. R.*, ser. 4, vol. III, 1119-20.

THE CAPTURE OF A CONFEDERATE BLOCKADE RUNNER; EXTRACTS FROM THE JOURNAL OF A CONFEDERATE NAVAL OFFICER

Edited by FRANK E. VANDIVER

Blockade running in the Southern Confederacy began to be a lucrative private enterprise after 1862,[1] and by the fall of 1863 the Confederate government, awakened to the necessity of importing supplies from abroad, began to requisition space on privately owned blockade runners for government cargoes. In 1864 regulations were issued which specifically directed that one-half of the cargo space on a blockade runner, both outgoing and incoming, was to be reserved for government use.[2]

The following journal[3] is that of Lieutenant Richard H. Gayle, Confederate States Navy. Gayle was a brother-in-law of the Confederate Chief of Ordnance, General Josiah Gorgas, and was under Gorgas's orders after 1863, presumably until the end of the war. The Ordnance Department was dependent on blockade running for many of its vital necessities and regularly ran in supplies.[4]

St. Georges, Bermuda.
Jan. 14th, 1865

I expect to be underway, my dear General,[5] within an hour.

Fort Warren.[6] Feb. 13th, 1865.

I commenced a month ago, my dear General, to keep a kind of journal, which I thought might some time or other amuse you for half an hour, but something called me off, and I have since been so hurried from pillar to post that no opportunity to carry out my intention has until now been afforded me.

On the 14th of January, I sailed from Bermuda in the Steamer "Stag" bound for Wilmington. For the first day the weather was tolerably good, but after that it came on to blow very heavily, and soon got up a most vicious sea. The wind being dead ahead, and continually freshening, it was soon

[1] See for example Edwin B. Coddington, "The Activities and Attitudes of a Confederate Business Man: Gazaway B. Lamar," in the *Journal of Southern History,* IX, 22 ff. (Feb., 1943).

[2] Frank L. Owsley, *King Cotton Diplomacy,* p. 412; Coddington, "Gazaway B. Lamar," p. 30.

[3] A typescript copy of Lieutenant Gayle's diary is in the possession of Mrs. William D. Wrightson, Chevy Chase, Md. The editor is much indebted to her for permission to publish these extracts.

[4] *MS. Diary of Josiah Gorgas,* p. 102. A copy of this diary is in the possession of Mrs. W. D. Wrightson of Chevy Chase, Md., and I am much indebted to her for loaning it. Mrs. Wrightson is the granddaughter of General Gorgas, and since the journal seems to have been written for him, it is understandable that it is in the possession of a member of the Gorgas family. Another copy was in the Library of Congress but has been evacuated for the war. See also Caleb Huse, *The Supplies for the Confederate Army,* p. 25.

[5] Probably General Josiah Gorgas, see above, introduction.

[6] Gayle was sent, as a prisoner of war, to Fort Warren after his capture.

found necessary to heave the ship to. This was accordingly done, and for nearly forty eight hours, she remained almost stationary. At the end of that time the weather having moderated, I drove her ahead, and at ten O'clock on the night of the 19th, I got a cast of the lead in two fathoms water on the extreme end of the Frying Pan shoal. Being now assured of my exact position I went of due West, and made the land to the Westward of a slue through which it was my intention to pass. All went well, and at about One O'clock A. M. I found myself close up to the bar. I forgot to say that I saw three or four of the blockading vessels outside, but on account of the darkness found but little difficulty in avoiding them.

Being close to the bar, I showed a light which was immediately responded to by the "range lights" on the bar being set. As this was all I wanted, I made no more signal, but ran the ship over the bar, into the river and up to Smithville. All this time there was no sign of anything to make me suspect a trap. Not a vessel was to be seen, nor were any lights visible except those which shone through the windows of the houses at Smithville. Being as far in the river as I go before daylight, I ordered the mate to anchor the ship, and he was on the point of doing so, when to our great surprise, a little steamer emerged from the darkness, and ranging up close alongside hailed "What steamer is that?" Thinking it was a little boat called the "Cape Fear," I replied "Steamer Stag, is that the Cape Fear?" The answer was "let go your anchor." So close was the steamer to us, that the man who was standing by the anchor forward, thought the order came from the bridge of the "Stag," and of course "let it go." Many boats (row boats) now made their appearance, and in a moment the "Stag" was in possession of the enemy.

There was no noise—no confusion. The trap had been well laid, and my ship was taken possession of quite as a matter of course.

The mail bag had been kept in my deck room, with a heavy weight in it, and the purser succeeded in throwing it overboard.[7] At the same time, I consigned to the bottom of the river the pistols which you gave me.

No violence was used towards myself, or any of my crew.

We were allowed to retain our wearing apparel, but everything else was "confiscate unto the state." The guard had scarcely been posted, before the Steamer "Charlotte," deceived as I had been, ran up under the stern of the "Stag," and was caught exactly as that vessel had been.

The capture of the "Stag" was due to the following facts.

On the 24th of December, Admiral Porter commenced the bombardment of Fort Fisher. About dark, an officer from Smithville came aboard of the "Stag," and told me that the fort had not been hurt at all, and that no apprehension whatever with regard to its safety was entertained. The firing had then ceased.

Knowing that most of the vessels had left the Western bar to participate in the attack, I at once determined to run to sea over that bar. All

[7] Gayle, taken unawares, was not able to comply with instructions given him by the Confederate Secretary of the Navy, S. R. Mallory, which were, on the threat of immediate capture, to set fire to the *Stag* and take to the boats. He was to provision and water his boats for that purpose. This was, of course, to prevent the ship from falling into enemy hands. (S. R. Mallory to R. H. Gayle, Dec. 6, 1864, in *Official Records of the Union and Confederate Navies,* series I, vol. 11, pp. 621-22.)

this time, my ship was at anchor off Smithville—about eight miles from Sea.

Getting under way, I stood out, and before daylight, was fairly at Fort Fisher.

During the passage the weather was frightful, and more than once, I thought the vessel would founder. The Talisman, which vessel went out with me, did go to the bottom. Her crew were however all saved.

On the 29th, I got into Bermuda, having sustained no damage beyond bending in a few side plates and breaking a few iron stanchions and braces.

A few days afterwards, the "Chameleon," Capt. Wilkinson, came in, and reported that the enemy had utterly failed in their attack. That the troops had been re-embarked,[8] and that when he left, the mouth of the Cape Fear was still in our possession.

This report entirely dissipated any doubts I may have had, and I at once commenced hurrying my preparations for the return. I must mention that Capt. Wilkinson thought it better to await another arrival. But I was loaded partly with arms and ammunition, and thought it my duty to hurry back as soon as possible.

Accordingly on the 14th Jan., everything being ready, I started for Wilmington, and after a very stormy passage, arrived there, with the result already mentioned.[9]

The manner in which the lights were set, the perfect accuracy with which they were placed, ceases to be a matter of surprise, when it is known that many of the pilots employed by the enemy have been engaged in running the blockade, and are perfectly well acquainted with the signals usually employed by blockade runners.[10]

Indeed, the morning after my capture, I saw on board of the Admiral a man installed as pilot of his vessel, who formerly made a trip with me as pilot of the "Cornubia."[11]

---

[8] This was true. After blowing up a powder ship in the hope of thus ruining Fort Fisher, and failing, the Federal forces sailed away on Dec. 28, 1864. See D. S. Freeman, *R. E. Lee*, III, 523.

[9] Fort Fisher fell to the Federals on January 15, 1865, the day after Gayle left for Wilmington.

[10] Gayle may be wrong in assuming the Federals knew, or had been informed of the correct signals. Rear Admiral David D. Porter, U.S.N., stated: "I had the blockage runner's lights lit last night, and was obliging enough to answer their signals, whether right or wrong we don't know. Two of them, the *Stag* and *Charlotte*, from Bermuda, loaded with arms, blankets, shoes, etc., came in and quietly anchored near the Malvern, and were taken possession of." (D. D. Porter to Hon. Gideon Welles, Secretary of the Navy, Jan. 20, 1865, in *Official Records, Navies*, series I, vol. 11, p. 620.)

[11] The *Cornubia* was an Ordnance blockade runner, plying, usually between Wilmington and Bermuda. Gayle had been in command of the *Cornubia* in 1863. She was captured the 9th of November of that year. Gayle was taken with her, but was evidently exchanged later. The *Stag*, after being captured was sold, by a United States prize court, to a Boston firm. (See F. B. C. Bradlee, *Blockade Running During the Civil War*, p. 117.)

RECONSTRUCTION LETTERS FROM NORTH CAROLINA

Edited by

JAMES A. PADGETT

PART X

LETTERS OF JAMES ABRAM GARFIELD

The letters of James Abram Garfield in the Library of Congress form one of the most valuable collections in this rich depository of rare documents. They have been placed in the care of the government by his heirs and for a long time they were restricted, but at present almost anyone can use them freely. They are rather difficult to use for they have not been bound, but have been merely placed in large temporary binders. Many of them are pasted in these folders so that some of the letters in each line or even some of the lines cannot be read. Then too, many of the letters are in upside down, back foremost, or half way reversed. Either Garfield's secretaries, some members of his family, or hired persons merely put them in these folders and often did not arrange them even chronologically. Many of them protrude out beyond the edges of the folders, are folded in an irregular way, or have been torn loose from the stub leaves. Eventually, it is understood, the Library of Congress will come into full possession of this valuable collection of manuscripts, and bind them.

Since Garfield spent much of his mature life in public service, lived during one of the most eventful periods of American life, and was one of the outstanding statesmen of the United States, the tens of thousands of letters written to him and his letters to his friends, office seekers, and others make the manuscripts very valuable. Here are to be found much valuable information on American political, social, and economic life, accounts of the Civil War, and other activities of his period. Since Garfield was one of the leading Republicans of his day one would naturally expect to find some letters to him from North Carolina during Reconstruction.

Thomasville N. C.
April 28 " 1868

Hon. J. A. Garfield[1]
Washington D. C.

Dear Sir,

I have been requested by numerous citizens of high character, gentlemen of *Republican sentiments,* to make application for the responsible position of the "Assessorship" for the 5th Dist of this State.

And in as much as *We here,* have no representative[2] in Congress , through which we could have our claims presented, being formerly from the same Congressional Dist in Ohio that you have the honor to represent, I have thought there would be no impropriety in my soliciting your kindness to give the Same your attention.

I should very much like to have the honor of occupying the position, and be assured that should your efforts in my behalf be successful, no act of mine shall ever give you cause to regret it. Please have the kindness to address me on the Subject. Should you desire my presence, inform me.

The Election[3] passed of [*sic*] quitly [*sic*] , and with a decided *Republican Success,* We have a handsome majority for the Constitution & the entire State and County Ticket.

I am just in receipt of Trumbull & Mahoning Co O. Papers

J. T. Cramer[4]

Snalley Write him not to take any steps till Impeachment is settled and then send his recommendation to me J.A.G.

---

[1] James Abram Garfield was born in Orange, Ohio, on November 19, 1831. He spent his boyhood working on a farm, aiding in the support of his widowed mother; attended district school about three months each year; and at the age of seventeen was driver and helmsman on the Ohio Canal. He entered Geauga Seminary, Chester, Ohio, in March, 1849, and at the close of the fall term, taught a district school; attended the Eclectic Institute, Hiram, Ohio, 1851-1854; was graduated from Williams College, Williamstown, Massachusetts, in 1858; was professor of ancient languages and literature at Hiram College, Hiram, Ohio; was president of Hiram College, 1857-1861; served as a member of the state senate in 1859; studied law, and was admitted to the bar in 1860; but before he had time to settle down in his profession he found himself in the midst of a great civil war. He was commissioned lieutenant colonel of an Ohio regiment of volunteer infantry on August 21, 1861; rose to the rank of major-general on September 19, 1863; and resigned on December 5, 1863. He served as a Republican in Congress from March 4, 1863, to November 8, 1880, when he resigned, having been elected to the office of President of the United States. He was a member of the Electoral Commission created by an act of Congress on January 29, 1877, to determine which of the double returns from four states should be counted. He was elected to the Senate on January 13, 1880, but declined to accept on December 23, 1880, having been elected to a higher honor. He was inaugurated on March 4, 1881, and on the morning of July 2, 1881, as he passed through the Pennsylvania Railroad Depot in Washington, he was shot by Charles J. Guiteau, and died from the effects of the wound in Elberon, New Jersey, on September 19, 1881. He was buried in Lake View Cemetery, Cleveland, Ohio. *Biographical Directory of the American Congress, 1774-1927,* pp. 1000-1001.

[2] It was July, 1868, before the first of the North Carolina Representatives arrived in Washington and were sworn in. *Biographical Directory of Congress,* p. 298.

[3] In North Carolina the registration for voting on reconstructing the state was 117,428 whites and 79,444 Negroes. Of these, 93,084 voted for the constitution and 74,015 against it, with 29,773 not voting. For governor, Holden received 92,235 votes to 73,594 for Ashe. The Republicans carried fifty-eight of the eighty-nine counties. The Democrats or conservatives elected only one Representative to Congress, one judge other than those endorsed by the Republicans, and one solicitor. Frauds ran wild at the registration and election places. J. G. de Roulhac Hamilton, *Reconstruction in North Carolina,* pp. 286-287, 374-375.

[4] John T. Cramer was a state senator from Davidson County from 1872 to 1874. *North Carolina Manual,* 1913, p. 589.

[5] Hardie H. Helper, a brother of Hinton Rowan Helper, who was noted for his *Impending Crisis,* in 1862 wrote to Governor Stanley a letter which so infuriated the newly appointed governor, who did not want any advice from Helper, that he ordered Helper to leave New Bern. He and Vincent Colyer, whose Negro school had been closed by Stanley, went north and fur-

Thomasville
Davidson Co N. C.
May 3rd 1868

Hon J. A. Garfield
Washington D. C.

Dear Sir,

I sent you a communication a day or two since relative to a position of an "Assessorship," And no reflection I think that my application was for the Fifth (5th) Dist. when it was the *Sixth* (6th) that I had intended, H.H. Helper,[5] Editor of the "*Holden* Record"[6] and also "*Raleigh Register*,"[7] at present holds the position, And since Governor Holdens triumph over Mr. Helper' and the combination of other Republican disorganizers I am informed through reliable sources that Mr. Helper will not be allowed to longer hold the position of "Assessor of the 6th Dist." Hence my application.

I have just returned from Raleigh and had a consultation with Gov. Holden.[8] He will start for Washington City on wednesday next. I requested him to call on you. The principal object of his visit will be the effecting of a removal of his *Disabilities*,"[9] which I sincerely hope will

---

nished newspapers with highly colored accounts of Stanley's official actions. This led to the accusation that Stanley favored the South. Thereupon the House of Representatives passed a resolution asking the President for a list of the powers given to Stanley, and this list was given to the committee by Stanley. In 1867 Helper was assessor of internal revenue with office at Salisbury. He was on the board to make rules and regulations for the registration in North Carolina; started the *Holden Record* in 1868 to fight Holden in the race for governor; and fought for better conditions in the state, even writing Secretary Boutwell in 1871 that "They [Federal office holders in North Carolina] are for the most part pestiferous ulcers feeding upon the body politic." On March 3, 1871, Helper was confirmed as deputy postmaster in Salisbury, but on December 6, 1871, Grant nominated David S. Bringle to be deputy postmaster in the place of Helper, who was suspended under an act approved on April 5, 1869. Helper was forced out when the nomination of Bringle was approved on December 11, 1871. John Pool had recommended an embezzler to appointment as special mail agent in North Carolina, and he and Helper had an acrimonious debate over the appointment, which was the cause of Helper's removal from the post office at Salisbury. Helper and Daniel R. Goodloe allied themselves with the Liberal Republicans in 1872, and worked for a convention in each county and Congressional district of the state. Hamilton, *Reconstruction in North Carolina*, pp. 90, 225n, 283, 418, 582; *United States Official Register*, 1867, p. 77; *United States Senate Executive Journal*, XVII (1869-71), 638, 639, 684; XVIII (1871-73), 126, 141, 145.

[6] The *Holden Record* was started by Hardie H. Helper to fight Holden in race for governor that year. See p. 140, note 5.

[7] *The Raleigh Register* first appeared in 1799, but often changed its name and was continued until 1867, but not continuously. It was a semi-weekly after 1823 for some time, but was not continuously. It was a semi-weekly after 1848, but this too was irregular. He must refer in this letter to the semi-weekly *Register* for at this time the semi-weekly was being published. *Union List of Newspapers*, p. 506.

[8] William Woods Holden (November 24, 1818-March 1, 1892) became a printer and then editor. He was a leading secessionist, but began to shift about 1860. He was a delegate to the Charleston and Baltimore Democratic conventions; was a member of the secession convention and favored withdrawal from the Union; backed Vance for governor and then broke with him; and ran for governor in 1864 on the platform of withdrawing from the Southern Confederacy. President Johnson appointed him provisional governor in May, 1865; later the Senate refused to confirm him as minister to San Salvador. He became a strong radical reconstructionist and was elected governor in 1868, but was impeached and removed after the Democrats swept the State in 1870. *Dictionary of American Biography*, IX, 138-140.

[9] At this time the only way to have disabilities removed was to appeal to the President, who could restore political privileges. The President also often issued amnesty proclamations. After the Fourteenth Amendment became part of the Constitution, Congress by a two-thirds vote could remove the disabilities from those excepted under the provisions for pardon placed in this amendment. In Johnson's proclamation providing for reconstruction in North Carolina he provided pardon for many of her citizens. On July 11, 1868, many scalawags received the right to vote. After 1871 Congress became more liberal in granting pardons. Grant, in his message of December 4, 1871, suggested the removal of the disabilities imposed by the Fourteenth Amendment. After 1871 every time amnesty came up in Congress Sumner sought to tag on to it his supplementary civil rights bill. Finally, on May 22, 1872, a general amnesty act was passed which provided enfranchisement of all except between 300 and 500 leaders in secession. In 1875, there was an attempt to make it universal but it failed. James Ford Rhodes, *History of the United States*, VI, 10, 11, 20, 312, 435-441; VII, 43, 243, 244.

meet with the *very favorable consideration* of *all loyal and true Republicans*. North Carolina' prayer and trust is, that our present troubles *will* be adjusted in that time, as will permit her people, in the approaching Presidential Campaign to strike in the cause of Liberty and virtue, such a blow as will forever seal the fate of Republican principals [*sic*] as a fixed fact in this State.

I have written a letter to the "Chairman" of the "Republican Congressional Com.", earnestly entreating action in Gov Holden favor, and that too, *quickly*.

General, I trust your Kindness will pardon me for my presumption in addressing you So often. My desires are to secure the position above referred to, Knowing that there will be a vacancy, and that it must be filled by some one. I hope you will take an interest in the matter, in behalf of one whose father has supported you for the position you now so honorably occupy.

If convenient please let me hear from you

I have the honor to be
Very respectfully

Your obdt. Servt.
John T. Cramer

Thomasville No Car^a June 12th 1868

Hon. J^as A. Garfield
Washington D. C.

Dear Sir,

A moments leaisue [*sic*] this morning induces me to drop you a note on subjects to which I have heretofore called your attention

I rec^d your letter of the last ultiemo [*sic*], advising me to take no steps in the "Assessorship" until the result of Impeachment[10] was known. And am quite confident,comprehended your ideas. But since the matter has been disposed of in such a manner as does not *strengthen* Republican interestes [*sic*], Yet, I do not *despair*, though am quite positive *had* our most worthy and highly honored Countryman, Mr,, Wade,[11] been promoted, "all would have been well" But this matter of a "Revenue " position I wish to commit to you, and be governed by your decision. And when you desire my "recommendations" I would be pleased to know.

I will say this much, the position which I desire *will* be *vacated* from its present incumbent, if Gov. Holden is ever *installed*, and he has any

[10] He here refers to the removal of President Andrew Johnson by the process of impeachment before the Senate of the United States. On the strongest charge the vote was nineteen to thirty-five, just one short of a two-thirds majority. Thus the only time the removal of the President was ever attempted by impeachment it failed. Rhodes, *History of the United States*, VI, 222-264.

[11] Benjamin Franklin Wade (October 27, 1800-March 2, 1878) was born in Massachusetts and died in Ohio. He moved to Ohio in 1821; taught school; studied law; became prosecuting attorney; served in the state senate; was a judge in the judicial court; and served in the Senate from March 15, 1851, to March 3, 1869. He was defeated in the race for the Senate in 1868; was president *pro tempore* of the Senate from March 2, 1867, to March 3, 1869; and would have been President if Johnson had been removed, for Johnson had been elected Vice-President and became President upon the death of Lincoln. He was a leader in the Southern Loyalist convention in 1866, and continued to play a leading part in Ohio and national politics as long as he lived. *Biographical Directory of Congress*, p. 1653.

influence as far as the interests of the State are concerned. This is universally known, and there are already numerous "*pets*" making frequent visits to the "Standard[12] Office" with an eye in view to the same. Gov. Holden will not endorse or recommend any one before Reconstruction is effected and then he is fully determined that "loyal men" shall be remembered and rewarded.

My devotion to the Government through the entire *war*, when trouble and turmoil, vexation and strife predominated as well as my efforts for the maintainance of Republican principals [*sic*] in time of peace- does entitle me to favor and consideration to those who have the power to *confer*.

My means are limited, pecuniarilly, but my *character* my greatest ambition has ever been to retain untarnished, And any position that might be conferred upon me that would require a *Bond* I am proned to say I could comply with to any amt.

Hence I hope you will press my claim on the merits of a *soldier* and an *honest man*-

I have noticed *Jesse. Baldwins* letter- and must confess am much surprised at his *presumption*- Truly, we know not "whither we are drifting" I also saw his letter to the Hon. R.P. Spalding-[13]

Mr. Schencks[14] "Tax Bill" I suppose is "torn to fragments."

Excuse me General for this half sheet of paper, I did not expect to write half this much when I sat down.

Hoping to hear from you soon as convenient,

I have the honor to be,

Very Respectfully etc,
Jno. T. Cramer

N.B. I notice the call for the "Congressional nominating Convention" at Garrettsville- Query- wonder if Baldwin does not make a bill- C-

---

[12] *The North Carolina Standard* was Holden's newspaper and the organ of his party. It is doubtful whether many small newspapers took such an active part in Reconstruction as did the *Standard*. Just before the contest began, William E. Pell, a former assistant of Holden, started the *Sentinel*. It soon became the organ of the anti-Holden faction. These two papers carried on a continuous scrap during reconstruction. Hamilton, *Reconstruction in North Carolina*, pp. 118-119, *passim; Union List of Newspapers*, p. 502; Papers of Edward McPherson (Library of Congress), *passim*.

[13] Rufus Paine Spalding was born in Massachusetts on May 3, 1798, and died in Ohio on August 29, 1886. He was graduated from Yale College in 1817; studied law and was admitted to the bar; moved to Little Rock, Arkansas, and there practiced his profession until 1821, when he moved to Ravenna, Ohio, and continued his profession. He was in the state house of representatives from 1839 to 1842; was associate justice of the supreme court of Ohio from 1849 to 1852; resumed the practice of law in Cleveland; served in Congress as a Democrat from March 4, 1863, to March 3, 1869; did not stand for election in 1868; and again engaged in the practice of law until his death. *Biographical Directory of Congress*, p. 1551.

[14] Robert Cumming Schenck was born in Ohio on October 4, 1809, and died in Washington, D. C., on March 23, 1890. He attended the rural schools; was graduated from Miami University, Oxford, Ohio, in 1827; was a professor in that institution from 1827 to 1829; studied law and was admitted to the bar in 1833; served in the state house of representatives from 1839 to 1843; was a Whig Representative in Congress from March 4, 1843, to March 3, 1851; was minister to Brazil and was accredited to Uruguay, Argentina, and Paraguay from 1851 to 1853; and served in the Union Army from May 17, 1861, to December 3, 1863, first as a brigadier-general and then as a major-general of volunteers. He was a Republican Representative from March 4, 1863, to January 5, 1871, when he resigned to be minister to England, which position he retained from December, 1870, to March, 1876; was defeated for Congress in 1870; served as delegate to the Philadelphia Loyalist convention in 1866; was a member of the Alabama Claims Commission in 1871; and then resumed the practice of law in Washington. *Biographical Directory of Congress*, p. 1498.

Raleigh June 15/ 68

Hon J. A. Garfield
Washington D. C.

My dear sir

I really did not now(taking out Mr Sam Hooper[15] of Boston whom I only know by his writings) that there was half as much good sound practical wisdom upon the subject of Currency as you have expressed in clear intelligible & cogent facts and argument in the speech[16] upon that subject which I recently had the honor to receive from you- I thank you for it- I prize it highly- beside the argument which unanswerable it furnishes us valuable statistical information- I have already read it a second time- But very clear sir is it not as regards congress "casting pearls before &c" —? will they ever see the force of those threats and act upon them?- you have opened to them the very gate to national success & prosperity but like that other gate & straight the narrow way it seems to be studiously if not strepidly avoided- reduce our Currency to a strictly specie basis and from that moment we start to become the richest most successful and most powerful people of whom History makes any mention We often hear our great progress & success as a people held up to admiration & boasted of by short sighted men- but my dear to you I may safely say that it is bogatotte compared with what it might and ought to have been- The truth is that our success as a nation has been in spite of our policy- We have been fighting against it throughout almost our whole history

But I begin to argue better thing to come Your speech encourages me "Truth is weighty & must prevail"- persevere my dear sir- your argument is unanswerable- Ignorance must succomb before such applicances.

I am constant reader of "the Free Trade League- but they dont begin at the right place- They seem to have passed up "in mediac res." I am trying to satisfy them that a reduction of our Currency must necessarily procede her Trade or that their policy would effectually condemn itself by our utter ruin as a nation

please accept the accompaning short essay hastily gotten up & published & by me here at the beginning of the Rebellion scan it over & if you can find time tell me how you like it- To you however there is not [illegible] I see from your speech a thought in it, that will be new

---

[15] Samuel Hooper was born in Massachusetts on February 3, 1808; was a prosperous merchant for years; served in the state legislature as senator in 1858; and was in Congress from December 2, 1861, to February 14, 1875, when he died in Washington. *Biographical Directory of Congress*, p. 1111.

[16] In 1868 the great issues were taxes and specie resumption. On May 15, 1868, Garfield made one of his greatest speeches in favor of a return to specie payment and clearly explained how such a course would correct many of the evils of our economy. Rhodes, *History of the United States*, VI, 335n-339.

I recognise the agency of Mr Walker[17] of Mass. in procuring me the pleasure of the speech- please say if the opportunity offers that I am greatly obliged to him

Very respectfully & sincerely

Yr friend &c

A. Miller[18]

Goldsboro, N. C. May 4, 1872.

Hon. James A. Garfield.
House of Rep's Congress of U.S.-

Dear Sir:- Perhaps you may experience some little surprise on receiving this note, but I hope you will pardon the intrusion.

I noticed in the Washington *Chronicle*[19] that you delivered a Speech in the House of Representatives, I think about the last of Jan. last, on public expenditures-[20] their increase and diminution, and as that subject is one of importance in the campaign this year, I should be pleased if you would be kind enough to favor me with a pamphlet copy of your speech. If you have one on hand to spare at present.

As you may not know any think about me, I beg leave to state that I am the nominee of the Republican party of North Carolina for Lieutenant Governor at the next August election, and desire useful information.

Very respectfully, Your obedient servant,

C. H. Brogden.[21]

---

[17] Amasa Walker was born in Connecticut on May 4, 1799; became a merchant in Massachusetts and engaged in politics on the side; was in the Democratic conventions in 1836; was elected to the Massachusetts house of representatives in 1849 and to the state senate the following year; was state secretary of state from 1851 to 1852; was a member of the state constitutional convention in 1853; was elected to the state house again in 1860; and served in Congress from December 1, 1862, to March 3, 1863. He was often a lecturer on political economy at colleges such as Oberlin, Harvard, and Amherst, and developed into an outstanding writer in this field. *Biographical Directory of Congress*, p. 1657.

[18] Andrew Miller was nominated by President Johnson on July 23, 1866, to be deputy postmaster at Raleigh, North Carolina. On the same day the nomination was referred to the committee on post offices and post roads. On July 24 the nomination was reported favorably, and he was immediately confirmed. The salary at the time was $2,500. He remained in the office until April 18, 1869, when J. C. Rogers took his place. *Senate Executive Journals*, XIV, pt. 2 (1866), 1017, 1043, 1051, 1058; *United States Official Register*, 1869, p. 581.

[19] *The Washington Chronicle* was a weekly from 1828 to 1833; a tri-weekly from 1833 to 1839; a weekly from 1861 to 1911; and a daily from 1862 to 1877. *Union List of Newspapers*, pp. 85-86.

[20] In reality Garfield was for lower tariff and economy, but he represented a district in which many were interested in iron and steel. Consequently he had to play safe. He managed, however, to make a noted speech on the tariff and public economy at this time. Rhodes, *History of the United States*, VI, 388-389.

[21] Curtis Hooks Brogden was born in Goldsboro, North Carolina, on November 6, 1816; was a state representative from 1840 to 1850; comptroller of the state from 1857 to 1867; presidential elector for the Republican party in 1868; collector of internal revenue in 1869; state senator from 1868 to 1872; was lieutenant governor, 1872-1874; became governor on July 14, 1874, when Caldwell died; and was a representative in Congress from March 4, 1877, to March 3, 1879. He was in the state house of representatives again from 1886 to 1888, and died in Goldsboro on January 5, 1901. *Biographical Directory of Congress*, p. 740.

Davie Co.
Jerusalem, N. C.
March 14, 1873.

Hon. James A. Garfield.

Sir, your past kindness and unwavering friendship ever since I was first your pupil in the old Eclectic,[22] make me feel free to address you. I wish to ask a favor of you, that you would procure my admission into the list of favored ones who receive *seeds* for the Bureau of Agriculture. I have often thought of writing to you, knowing that you are always ready to view the world, or any corner of it, through the experiences of others. We are living in a retired part of N.C. and I am well pleased with the peaceful and friendly people with whom we are surrounded. Political excitement ran high here at the time of Grant's election,[23] but the people are too busy and too good natured to quarrel long.

Dr. Ramsay,[24] who was the Rep. candidate for the State Senate, is a personal friend of ours- He has suffered from ostracism, but is recovering his friends.

I think the blacks are well treated here- they have their proportion of the school money and one of their own race generally teaches.

Does the Civil Rights bill[25] really contemplate mixed schools, churches, &c. &c! I have not had time to keep posted upon many of these things. We have W. M. Robbin's[26] speech on the bill. From a casual reading, I think there is much true and good in it, soiled by many flings at Northern men & things. For my part I protest against an attempt to compel blacks and whites to mingle more together. I would not consent to our children's attending a mixed school; for as the blacks are now, their society would be degrading.

---

[22] In 1850 the Christian Church founded at Hiram, Ohio, an institution of higher learning. At first it was called Eclectic Institute, but was incorporated as Hiram College in 1870. Garfield attended this school from 1851 to 1854; was made a professor in the institution in 1858; and president of it from 1857 to 1861. *Americana,* XIV (1938), 203; *Biographical Directory of Congress,* pp. 1000-1001.

[23] In the election of 1868 in North Carolina Grant carried the state over Seymour by a vote of 96,449 to 83,559, with the Republicans sweeping the state. In the election of 1872, after the Democrats had won the state in 1870 and removed Holden by impeachment, the prospect was quite different. The election was held on August 1, 1872, for state officers. At first it appeared that the Democrats would win all important offices, but when the votes came in from the Republican counties of the west the Republican candidate had a majority of 1,899. Grant carried the state in the Presidential election. Rhodes, *History of the United States,* VII, 55, 61; Hamilton, *Reconstruction in North Carolina,* pp. 286-287, 374-375.

[24] James G. Ramsay was in the state senate from Rowan County in 1856, 1858, 1860, 1862, and 1863. In 1863 the peace movement was strong in the state, and Ramsay was one of the peace delegates elected to the Confederate Congress that year. This group urged that the President of the Confederacy should make peace. *North Carolina Manual* (1913), pp. 793-794; Hamilton, *Reconstruction in North Carolina,* pp. 55, 67n, 486.

[25] The Civil Rights act of 1866 was passed over the veto of the President. It was feared that it was unconstitutional and some of its leading provisions were incorporated in the Fourteenth Amendment. Sumner sought to force through Congress a supplementary civil rights act and tagged it on to the amnesty bill. As the necessary two-thirds majority could not be obtained, the bill was finally dropped and the amnesty bill passed, but Sumner kept hammering on his bill. After his death its main provisions were incorporated in a new civil rights bill and passed, but the Supreme Court declared most of its provisions unconstitutional. Rhodes, *History of the United States,* VI, 65-71, 436-439; VII, 154, 155.

[26] William McKendree Robbins was born in Randolph County, North Carolina, on October 26, 1828; attended old Trinity College; and graduated from Randolph-Macon College about 1850. He was admitted to the bar in 1854; served four years as a major in the Confederate army; was a state senator in 1868 and 1872; was in Congress from March 4, 1873, to March 3, 1879; and was on the Gettysburg Battle Field Commission from 1894 until he died in North Carolina on May 5, 1905. *Biographical Directory of Congress,* p. 1467.

They are a *strange* race-(which very *original* remark-you will, no doubt appreciate!) I took great delight in teaching them, but my experience among them in the way of employment, makes me fear that they are not reliable- and have little forethought, economy and perserverence- But, we must not judge too hastily- those are the virtues of a *free* people , and have not had time to take root. I wish they had a country, a pleasant one of their own. Emancipation is beginning to be generally, if still grudingly, considered a blessing. Yesterday, a gentleman of wealth and lberal views was telling me the story of his youth among the slaves and of his latter experiences in freedom. He was a relative of Judge Pierson,[27] now I think of your City, and had at one time the oversight of his plantations, spending most of the time from 15 to 21 in the care of *five* plantations. Said he-"I would rather be the poorest day laborer on my land to day, than to live in the old style, be compelled to have my slaves back again and surround my children with such influences."

I have a flourishing school and hope to do the community good. I wish some good friends would send me *good* reading matter for distribution, Agricultural- social, religious, or educational. I could use it to advantage. If you thus play into my hands', perhaps thanks will be your only return, except the pleasure of doing good. Warmest love to Mrs. G.

Your Grateful Pupil.

Mary Atwater Neely[28]

Asheville, N. C.
Febry 26th 1874

Hon James A, Garfield Ch'm, ,&c
Washington D.C.

Honorable Sir. .

I would be very much obliged to you if you can give me information as to the time when the "Deficiency- appropriation bill" will likely be passed by Congress, as I have a half year pay as U. S. Dist. Atty,, depending upon the passage of said act.

Very Respectfully
V. S. Lusk[29]
U. S. Attorney
Western Dist,, of N.C.

---

[27] Richard Mumford Pearson was born in Davie County, North Carolina, on June 28, 1805, and died in Winston, North Carolina, on January 12, 1878. He graduated from the University of North Carolina in 1823; was admitted to the bar in 1826; was elected to the legislature in 1829, serving until 1833; was a judge of the superior court from 1836 to 1848; and was then sent to the supreme court, becoming chief justice after 1850, and holding that office until his death. He had a law school at his residence at Richmond Hill for many years which was attended by hundreds of students from North Carolina and other states. He was one of the leading lawyers of his day. *Appleton's Cyclopaedia of American Biography,* IV, 693.

[28] After considerable research the editor has been unable to identify Mary Atwater Neely.

[29] On June 7, 1872, President Grant nominated Virgil S. Lusk to be United States attorney for the western district of North Carolina. Robert P. Dick at the same time was nominated to be judge for the district. The same day these nominations were referred to the committee of the judiciary, were reported back, and were confirmed by the Senate. When Governor Holden raised troops to suppress the Ku Klux Klan in the State, Solicitor Lusk along with many other citizens of Asheville and Buncombe County signed a petition against it. In the Ku Klux trials in the western part of the State D. S. Starbuck, S. F. Phillips, and Lusk took the side of the state. Hamilton, *Reconstruction in North Carolina,* pp. 501, 578; *United States Senate Executive Journal* (1871-73), XVIII, 276, 277.

Asheville, N. C.,
Oct'o: 14th 1876

Sir:

The republicans of Western North Carolina, proposes to have a barbecue dinner and speaking at Asheville, on Thursday Octo. 26th inst. We are desirous to have you present and address the meeting. A very large crowd will be present from all parts of the state, and we feel and believe that much good can & will be accomplished by the meeting. Asheville is reached via-Salisbury, N.C., and Morristown, Tenn. You will be met at either point you may designate. We add our individual solicitation, together with your numerous friends in N. C., and hope that you may find it convenient to respond favorably.

Very Respectfully,

C.L. Cobb.[30]
E.L. Brown.
D. A. Bowman. } Com.[31]
C. H. Porter
W. G. Candler.

Hon. J. A. Garfield.
Hiram, Ohio

Thomasville N. C.
Decr 28th 1876

Dear Sir;-

Judge Settle,[32] Col. T.B.Keogh,[33] and Hon. T. M. Owen have furnished me with letters and endorsements, recommending me to the favorable Consideration of the President, which, with my own application for the position of Collector of Internal Revenue for the 5th- Dist. of North Carolina I transmit to you, most earnestly begging and entreating that you present the same to the President and request my appointment.

---

[30] Clinton Levering Cobb was born in Elizabeth City, North Carolina, on August 25, 1842; graduated from the University of North Carolina and was admitted to the bar in 1867; and began to practice in Elizabeth City. He soon became a merchant; served in Congress as a Republican from March 4, 1869, to March 3, 1875; was defeated in 1874; and returned to his legal practice in Elizabeth City where he died on April 30, 1879. *Biographical Directory of Congress,* p. 826.

[31] The other members on the committee were local men, and, although there are many people in this section today with these names, the editor has been unable to identify them.

[32] Thomas Settle was born in Rockingham County, North Carolina, on January 23, 1831, and died in Raleigh on December 1, 1888. He graduated from the University of North Carolina in 1850; served in the legislature from 1854 to 1859; was Presidential elector in 1856; supported Douglas in 1860; served as captain in a North Carolina regiment in the war for twelve months, when he resigned to take the position of solicitor; entered the state senate in 1865; and took an active part in Reconstruction. He was in the state supreme court from 1868 to 1871; was at this time sent to Peru as minister, but returned to the United States in a few months on account of ill health; ran for Congress in 1872; was president of the national Republican convention in Philadelphia that year; was in the state supreme court in 1873; was defeated for governor in 1876; and was made United States district judge for the Northern district of Florida in 1877. *Appleton's Cyclopaedia of American Biography,* V, 466; *Dictionary of American Biography,* XVI, 598-599.

[33] Thomas B. Keogh was a carpetbagger from Wisconsin. When Colonel Bates of the United States Army was sent on a tour of the South with a United States flag, to prove that the South was quiet, Holden sent Keogh to offer him $10,000 if he would abandon his journey and report that he was forced to do so on account of fear for his life. When the Republican convention met in Raleigh on July 12, 1876, Keogh was chairman of the platform committee, and assisted in drawing up a severe denunciation of the Democrats. He took an active part in the campaign and election of 1876, but it did him no good. Hamilton, *Reconstruction in North Carolina,* pp. 282, 646, 653.

You will notice Col. Keogh, Ch. Rep.State Ex. Com. says, in recognition to my efforts,and services in behalf of the party, "Any thing done for me would be gratifying to the republicans of this State." so there could be no objection to my appointment.

The present incumbent C.S.Winstead[34] Esqr- has held the position for several years. He was immensely wealthy before his appointment, and has never devoted any of his own personal time to the duties of the Office. He lives in Person County, where he spends the nine tenths of his time, leaving the management of his office to his brother and other Kin, some of whom are democrats and not in sympathy with the administration, but all very wealthy. The Collectorship is worth about $3000.^{00} per annum, and to an aged bachelor like Mr. Winstead, comparatively nothing. I therefore feel and know, that while the position, in a financial point of view is not much to its present incumbent, it would be of great benefit to me. My zeal in the success and continuation of the republican party has embarrassed and crippled me very much, and from my present stand point, prohibits me from giving my children a thorough education.

General I certainly have some delicacy in trespassing so much upon your kindness, but I could not expect much courtesy from our representative, General Scales,[35] whose election I have opposed, though he is a very clever democrat. I would go to Washington but cannot spare the means. Remembering that I was reared in your old Nineteenth Dist. and still retain kindred feelings for my old home and friends, I hope you will give this matter your personal attention for me, when have no doubt of success. I shall ever remember you kindly, and assure you that no act of mine, official or otherwise shall give you cause of regret.

Hoping to hear from you soon as practicable.

I have the honor to be,

Very Respectfully, etc

John T. Cramer

To- Hon. James A Carfield
Washington D. C.
N.B. If necessary, telegraph to me. J T. Cramer

---

[34] For quite a while Charles S. Winstead of Greensboro was collector of internal revenue at a salary of $1,500 per annum. This was a good position at the time for it required little work. *United States Official Register*, 1873, p. 83.

[35] Alfred Moore Scales was born near Reidsville, North Carolina, on November 26, 1827; attended the University of North Carolina; studied law and was admitted to the bar in 1851; and practiced at Madison. He was elected to the state house of representatives in 1852, 1853, 1856, and 1857; served in Congress from March 4, 1857, to March 3, 1859; was a Presidential elector for Breckinridge and Lane in 1860; rose from the rank of private to bridagier-general in the war; and then returned to the practice of law in Greensboro. He was in the state legislature from 1866 to 1869; served in Congress as a Democrat from March 4, 1875 to December 30, 1884; resigned to become governor, which position he held from 1885 to 1889; and then became a banker in Greensboro, where he died on February 9, 1892. *Biographical Directory of Congress*, p. 1497.

Littleton Halifax Co [no date]
North Carolina

Hon. J Garfield

Sir.

I am a native of New Jersey having moved down here about seven years ago and bought a plantation. I am greatly interested in the future of the South, and in the best interest of our County, and especially in our finances, give us honest money that we may know what we are worth, and what our business is worth. The credit system of the south is its ruin. We have to pay from fifty to one hundred per cent for our goods and sell our cotton on the basis really of the *Gold* dollar, Many persons cannot see that honest money and the Government an honest power, is essential to the permanence of business and a solid prosperity, I read your speech in part, that is extracts from it, and it the best defense of resumption of specie payment I have seen any where, You have no Conception of the depression and poverty of the south. In the County in which I live there is not a good school for white or black in it.

Churches languish and the whole Country is becoming poorer every year. Now as to *politics*. I am a republican, and with the exception of one man, there is not another white one of which I know of within twenty miles. The south will never love the men that squelched the rebellion or the party that carried on the war. Now as to reconciliation of which so much is said. To effect a reconciliation there must be two parties at variance The goverment [*sic*] is one party and the south another. I can understand how two powers can be at swords points with each other and reconciliation be effected, but how a living warrier and dead warrier can settle differences is something I cannot divine. As an individual I took a very active part with my government during the war, and in doing so I have no apologies to offer and no forgiveness to ask. shall not now,or at any future period of my life. Yet as to individuals of the south personally considered, where they are good men I have nothing personally against them. I think in some things Mr Hayes[36] has mistaken his mission. He is not sent to preach but to rule. If he thinks he is doing us republicans any good, he needs to be better acquainted with the great truth in Adam "all have sinned, and as for a meditator we have a better one than Ohio can produce, who appeared several hundred years ago, and though he told the people he was full of mercy and good will towards them, yet they did not treat Him very well after all, and I am afraid Mr. Hays [*sic*] will not succeed so well as He did. Unless he sells out the republican party that put him into power, they will withdraw their great love from him. I want the Republican party to live for the good of the south, for I regard the democratic party as the most plausible and well developed hypocrite since the days of Judas, and his compatriots. We have good County if

[36] Rutherford Birchard Hayes (October 4, 1822-January 17, 1893) was born and died in Ohio. He became a lawyer after receiving a college education; rose to the rank of brigadier-general of volunteers in the Civil War; was brevetted major-general of volunteers; was in Congress from March 4, 1865, to July 20, 1867; served as governor from 1868 to 1872, and from January, 1876, to March 2, 1877; and was President from March 4, 1877 to March 4, 1881. He held many honorary offices in societies and orders. *Biographical Directory of Congress,* pp. 1078-1079.

it could only be well developed, and filled up with people of Yankee grit and intelligence.

I wish you would make me one of your friends and send me some of the public documents, at your disposal. Excuse the liberty I have taken in writing to you. I have watched your course for years and I can trust you every pain

Yours truly J.E. Rue[37]

Post Office Department,
Post Office,

Wilmington, N.C.
Fey 10, 1877

Ed. R. Brink[38]
Postmaster.

Hon J.A. Garfield
Washington D.C.

My Dear General.

The loyal people of the South will never forget your noble efforts in opposing the surrender of the victory[39] of Nov ult, nor will they forget your work in the Electoral Commission,[40] The fight is between the friends and the enemies of the Republic.

I am most sincerely
Your friend
E B Brink

---

[37] The editor has been unable to identify J. E. Rue.

[38] On April 3, 1867, Secretary of War Stanton nominated Edward R. Brink, late captain in the Ohio volunteers, to be a major by brevet. This nomination was almost immediately confirmed. This rank was to date from March 13, 1865. On the same day Stanton nominated Brink to be brevetted lieutenant-colonel to date from March 13, 1865, for his gallant and meritorious services as captain of the tenth Ohio volunteers. This honor was very shortly given him by confirmation of the Senate. On July 13, 1867, President Johnson nominated Brink to be postmaster at Wilmington, which office at the time was in the hands of special agent. Two days later he was confirmed by the Senate. In 1869 the office paid $3,200, and in 1873 the salary was the same. *United States Senate Executive Journal*, XV, pt. 2 (1867), 621, 628, 642, 643, 622, 628, 642, 643, 786, 792, 793; *United States Official Register*, 1869, p. 583; 1873, p. 833.

[39] The election of 1876 was one of the hottest contested elections in the history of the United States. Rutherford B. Hayes was nominated by the Republicans and Samuel J. Tilden by the Democrats. The bloody shirt was waved, Nast came along with his cartoons, much bulldozing was resorted to in the South, fabricated outrages were reported, and great excitement reigned in the country. On Wednesday, November 8, nearly every newspaper announced the election of Tilden, but the *New York Times* and the *New York Herald* refused to agree to it. In a later edition, the *Times* gave Tilden 184 votes and Hayes 181, with Florida in doubt, but claimed victory for the Republicans. With this state for Hayes he would have 185. It was reported that Zachariah Chandler in the early morning of November 8 sent a telegram that "Rutherford B. Hayes has received 185 electoral votes and is elected." At two o'clock in the afternoon of November 8 the *Times* displayed on the bulletin board the figures, Hayes 185, Tilden 184. At half past ten that evening the Republican National Committee announced that the election of Hayes was "assured by a majority of one in the electoral college." For days the election so excited the people that they could not carry on their usual occupations. Hayes had 166 undisputed electoral votes and Tilden 184. Hayes must get all of the disputed ones in Louisiana, South Carolina, and Florida. There were double returns from Oregon, but these three electoral votes by right should have gone to the Republicans without any dispute. The Republicans refused to give up and demanded that Hayes be inaugurated on March 4, 1877. The question was up to Congress to count the electoral votes. Rhodes, *History of the United States*, VII, 291-292.

[40] It was up to Congress to decide which of the returns from Oregon, South Carolina, Louisiana, and Florida should be counted. Finally it was decided to leave it up to an Electoral Commission consisting of five Senators, five Representatives, and five justices of the Supreme Court. It was understood that from the Senate should be taken three Republicans and two Democrats, from the House, three Democrats and two Republicans, and from the Supreme Court two Democrats, two Republicans, and one neutral. Before this commission the two

Thomasville,
Davidson Co. N. Carolina.
March 14th 1877.

Hon. James A. Garfield.
Washington, D. C.

Dear Sir:

I returned here last eve'g, but before leaving Washington on Monday, called at your residence to bid good bye, as also to express to you my congratulation and high appreciation of your kindness to me, and was informed that you were not in.

I became convinced that it was the policy of President Hayes to make no changes, nor removals, except for cause- such as incompetency, dereliction of duty, or malfeasance in office, and that *party* services or party consideration was a matter of minor importance- I felt that the position for which [I] made my trip to Washington was due me, and so regarded by all parties in this communitie [*sic*], and in fact a number of the leading republicans here have expressed to me the fact, that if for all the work, , time and means given to the cause by me, I could receive no recognition there was no inducement for them to continue in the course they had taken- Of course I advised all my friends [to] say nothing rash,but to continue to support the Administration and probably it would all turn out for the best. I assure you however it is a bitter pill for me to meet the scoffs and sneers of the unwhipt rebel element who today denounce Mr Key[41] in more measures than they did Mr Justice Bradley.[42] It has already. this very morning, been intimated to me that what seemed to be the policy of President Hayes would pay me back for the publication of my paper before the election in his behalf.

---

parties were to take their lawyers and witnesses, and argue the case. David Davis was to be the neutral man from the Supreme Court, but he slipped out of it by resigning to take a seat in the Senate to which he had been elected. Justice J. P. Bradley was then taken as the fifth Justice. In Florida, South Carolina, and Louisiana there had been so much fraud, buying, and stealing of votes, and intimidation that it was difficult to tell how the election should go. In Oregon it was different. There a postmaster was one of the electors and thus disqualified to serve, so he resigned from the election board, and from the post office. The next highest Democrat claimed to have been elected since Watts, the post master, was ineligible. The other two Republicans refused to serve with him, so he appointed two other Republicans to serve with him. The other two Republicans would not agree to this, but appointed Watts, after he had resigned from the post office so there were two sets of returns from that state. Both the Democrats and Republicans in the other three contested states sent in returns. In these three cases the Electoral Commission refused to go back of the returning board, but in the case of Oregon they had to go back of the returning board. In every important instance Bradley voted with the Republicans and Hayes was elected President by the Electoral Commission by a vote of eight to seven, for in every important case the seven Democrats voted for Tilden. Hayes was called the eight-to-seven President. William Archibald Dunning, *Reconstruction, Political and Economic,* pp. 308-341; Rhodes, *History of the United States,* VII, 291-348.

[41] David McKendree Key was born in Greene County, Tennessee, on January 27, 1824; got little education until he was twenty-one years of age; graduated from college in 1850; was admitted to the bar in the same year; was a Presidential elector in 1856 and 1860; entered the army as lieutenant colonel, but opposed secession; was in the constitutional convention of 1870; received his pardon from President Johnson; was chancellor of the third district from 1870 to 1875; and was Senator from December 6, 1875, to January 29, 1877. He was appointed by Hayes as Postmaster-General and served from 1877 to 1880 when he resigned to be a Federal judge in the eastern and middle districts of Tennessee. He held this office until 1894 when he retired on account of his age. He died on February 3, 1900. *Appleton's Cyclopaedia of American Biography,* III, 529; *Dictionary of American Biography,* X, 361-362.

[42] Joseph P. Bradley (March 14, 1813-January 22, 1892) was born in New York and died in Washington, D. C. He worked on his father's farm until he was sixteen years of age and attended common schools three or four months each winter. He taught school for five years; practiced surveying a little; was prepared for college by a clergyman in Berne, New York, his home town; graduated from Rutgers University in 1836; taught for six months; studied law and was admitted to the bar in 1839; and practiced in Newark from 1840 to 1870, as an outstanding attorney in New Jersey and United States courts. He was a leader in the

The grounds upon which I asked the removal of C.S. Winstead the present Collector were that he did not give his office his personal attention, That he resided in another county about seventy-five miles off where he remains most of his time- That he has held the position *seven* years and during that *entire period* there has been a system of *fraud* and *violation* of *law* in the way of illicit distilling in his Dist- That has been of a most disgraceful and disreputable character- an inexcusable dereliction of duty- and the further fact that a Revenue Agent was at this moment raiding upon those illicit distillers and law breakers was no recommendation for the continuation of the present Collector, but on the contrary was a recommendation for his removal. These facts I stated to the Commissioner of Int. Reve, but upon a reviewal [*sic*] of the whole subject I can feel no assurance that Mr. Winstead will be removed- I do not wish to be understood as reflecting upon any official in Washington.

After I had called at your house on monday and made up my mind to return home I called again to see Sec. Sherman and he said this to me- That in April, he intended to revise the list of"Special Agents" for the Treasury Dept and would consider my case with a view to giving me one of those positions- In thinking the matter over to-day I made up my mind that would make a direct application for the "Special Agency" and forward to you with a request that you hand to Sec'y Sherman[43] in my behalf, for which I will be grateful.

Please acknowledge receipt of this communication- I was sorry to see you make the personal sacrifice of your promotion to the Senate.-[44]

Very Respectfully

Your obd't servt

John T. Cramer

---

business of railroads as a director, insurance man, and other business enterprises. He was also a noted lecturer and writer. In March, 1870, he was appointed to the Supreme Bench and took part in many of our most important decisions. He was a member of the Electoral Commission and on all important questions he voted with the Republicans. *Appleton's Cyclopaedia of American Biography,* I, 352-353; John Spencer Bassett, *A Short History of the United States,* pp. 656-657; *Dictionary of American Biography,* II, 591-593.

[43] John Sherman (May 10, 1823-October 22, 1900) was born in Ohio and died in Washington, D. C. He attended the common schools a little; was rodman for an engineering concern; studied law, and was admitted to the bar. He was in the Whig conventions of 1848 and 1852; served as a Republican in Congress from March 4, 1855, to March 21, 1861; was in the Senate from March 21, 1861, to March 8, 1877; served as Secretary of the Treasury from 1877 to 1881; was Senator from March 4, 1881, to March 4, 1897; was Secretary of State from March 5, 1897, to April 25, 1898, when he resigned. *Biographical Directory of Congress,* p. 1518.

[44] On January 13, 1880, Garfield was elected to the Senate for the term beginning March 4, 1881, but declined to accept on December 23, 1880, for he had been elected President on November 4, 1880. He was one of the leading Republicans and did more than any one else to elect Hayes to the presidency. It was quite natural that he should be elected to the Senate when John Sherman was made Secretary of the Treasury, but as he was minority leader in the House Hayes did not want him to leave that position, so he did not push his candidacy. In 1880 this was not the situation so he was given the honor of being elected to the Senate. *Biographical Directory of Congress,* pp. 1000-1001; *Dictionary of American Biography,* VII, 147.

Asheville, N.C. June 15th. 7 [1877]

Hon. Garfield.

Dear Brother in Christ.

I wrote you a letter last year in refferencs [*sic*] to my Son, Dr OBry for the Post Office (of this place, Asheville) When Vacated. You answered that you would interest yourself, in his behalf if some Gentlemen here would cooperate with you. Congressman—Vance[45] said he would with pleasure. I wrote you that my Sons health had been delicate and he concluded that it would be to [*sic*] confineing [*sic*].

Now I ask another favor in behalf of my Son in law H..C.. Hunt, formerly of Cin^ti^ now a resident of Asheville, M^r^.H..C..Hunt want the situation of marshall, now held by Mr Douglas[46] but it is thought that he will be removed in a few days's [*sic*]

Mr Hunt will send you a petition signed by 50 of our best Citizens Congressman Vance Name among the number.I would not take this liberty but you requested me to call upon you if any of my Sons needed a situation, when you sent me one of your speeches, several years ago.

If necessary Mr H. C. Hunt can get refferences from our best Brothers, and businessmen In Cincinnati. The petition when [*sic*] I beg you to present to President Hays [*sic*],

Please use your influence in this matter, as Mr Hunt says its impossible for any one to succeed who is not assisted by some influential friend in Washington City as so many are trying for Offices here, and several have friends in your City, that will work for them, And we both feel and know your importance with the former President Lincoln how quickly he attended to my wants after reading your letter in reference to my Son, who was then at Fort Delaware.

Now my dear Bro, if you will give this matter your immediate attention I know you will succeed and by so doing will confer everlasting obligation on your friend and Mother in Christ.

God bless you and yours, May your health be precious in his sight.

Please present my love to your dear family.

Please answer immediately I am very feeble in health I am now in my 67 year, Mr Hunt I and Wife have been members of the Central Church for some years, Your Mother in Christ, Mrs Thurston Crane.[47]

---

[45] Zebulon Baird Vance was born on Reems Creek, near Asheville, North Carolina, on May 13, 1830; attended the common schools, Washington College, Tennessee, and the University of North Carolina; and was admitted to the bar in 1852. He was elected prosecuting attorney of Buncombe County that year; served in the state legislature in 1854; was in Congress from December 7, 1858, to March 3, 1861; entered the war as a captain, but soon became a colonel; was governor of North Carolina from 1862 to 1865; was in the Democratic convention in 1868; was elected to the Senate in 1870, but did not serve on account of his disabilities; was defeated for the Senate in 1872; was governor of North Carolina again from 1876 to 1878; and was Senator from March 4, 1879, until his death in Washington on April 14, 1894. *Biographical Directory of Congress*, p. 1642.

[46] For years Robert M. Douglass was marshal for the eastern district of North Carolina. He drew a salary of $400 in addition to the fees of the office. He was an outstanding politician of the state. When many carpetbaggers emigrated from the North to the South, Douglass left his home in Illinois and took up his residence in Rockingham County, North Carolina. The Republican convention in the state in 1876 was composed largely of scalawags, carpetbaggers, and Negroes. S. F. Phillips was permanent president of the convention and J. H. Hood, a Negro, who by this time was a bishop in the colored Methodist Church, was temporary chairman. Phillips was the spokesman for President Grant who said that he wanted Judge Settle nominated for governor and his second choice was R. M. Douglass, but there was no need for a second choice. *United States Official Register*, 1873, p. 349; Hamilton, *Reconstruction in North Carolina*, pp. 11, 346, 505, 645.

[47] After considerable research the editor has found it impossible to identify Mrs. Thurston Crane.

[Telegram]

Greensboro June 18 1877 1.20 P M

Hon James A. Garfield
1227 I St Washn

Resignation Collector Winsted [*sic*] is requested. Have you seen President for me, if not Will you, answer.

John T Cramer

16 paid A R

Thomasville,
Davidson County, North Carolina
July 10th 18.77.

Sir:

I am just in receipt of your favor of the 6th inst. which you wrote, if not too late, you will write the [Presi]dent. The matter has not yet been disposed of. [It] remains the same as when I wrote you last. As soon [as] Collector Winstead recd his notification to resign, he [in] company with parties interested in his retention, on [acco]unt of relations occupying subordinate positions, went to [Wash]ington to resist a change in the office, but I am informed [with] ill success, as Mr. Winstead has written back he will [have] to vacate his position, sooner or later.
[They said] it was the intention of the President to give me [the po]sition, and there can be no doubt that if you will [see] him asking my immediate *appointment*, it will be [done.]

Please do me the special favor to so write Genl. Hayes[48] [by *re*]*turn mail* and I, and mine will ever feel grateful.

With Kindest wished, Etc
John T. *Cramer*

Gen'l Garfield
Menton O.

Mangum N C
Oct 15/77

Hon J A Garfield

Dr Sir.

Will you kind enough to speak a good word *at once* to the President & Mr Evarts[49] in behalf of my application , so kindly signed by you, for

[48] He here refers to Rutherford B. Hayes, who was at this time President of the United States.

[49] William Maxwell Evarts was born in Massachusetts on February 6, 1818; graduated from Yale University in 1837; was admitted to the bar in 1841; was United States assistant district attorney from 1849 to 1853; was in the Republican convention of 1860; was defeated for the Senate in 1861; was in the state constitutional convention in 1867-68; was Attorney General of the United States from July 15, 1868, to March 3, 1869; was chief counsel for President Johnson in the impeachment trial in 1868; was counsel for the United States in the case of the Alabama claims; was counsel for Hayes before the Electoral Commission; was Secretary of State from March 12, 1877, to March 3, 1881; was delegate to the International Monetary Convention at Paris in 1881; was in the Senate from March 4, 1885, to March 3, 1891; and died in New York City on February 28, 1901. *Biographical Directory of Congress*, pp. 952.

the London Consulship- I see from the papers a possibility of Badeau's[50] removal- & as a Native of my State, & not unknown to the South, & in view of sacrifices made both of money & social position in behalf of our party I don't think I am asking too much.

Besides it is all-important that the South has a fair share of foreign Representatives for the dissemination of political & statistical information peculiar to our section. We need & must have more & better men- With a little pressure you can do me a great favor- for which I shall ever feel deeply grateful-

We are surprised at Ohio's vote-

With highest regards

I am your friend

O H Dockery[51]

My endorsements are good & general- Yourself, Blaine,[52] Windon[53] & Sargent--[54] with all known men of my own State Be please to write me of my chances after your interview-

---

[50] For a long time Adam Badeau was consul general of the United States in London at a salary of $7,500. He was born in New York, appointed from New York, and worked in London. *United States Official Register,* 1873, p. 16.

[51] Oliver Hart Dockery was born near Rockingham, North Carolina, on August 12, 1830; was educated at the common schools and at Wake Forest College; graduated from the University of North Carolina in 1848; studied law, but engaged in agriculture; served in the state legislature in 1858 and 1859; served in the Confederate army for a while, but soon withdrew and advocated return to the Union; and then served in Congress from July 13, 1868, to March 3, 1871, having been defeated for re-election in 1870. He returned to his agriculture; was in the state convention of 1875; was defeated for governor in 1888; served as consul to Rio de Janeiro from June 14, 1889, to July 1, 1893; again returned to his agriculture; and died on March 21, 1906. *Biographical Directory of Congress,* p. 912.

[52] James Gillespie Blaine was born in Pennsylvania on January 31, 1830, and died in Washington, D. C., on January 27, 1893. He graduated from Washington College in Pennsylvania in 1847; taught in Western Military Institute, Blue Licks Springs, Kentucky, for some time; studied law; taught for some time in the Pennsylvania Institute for the Blind; and moved to Maine and became an editor. He served in the state legislature from 1859 to 1862; was in Congress from March 4, 1863, to July 10, 1876; was a Senator from July 10, 1876, to March 5, 1881; was Secretary of State from March 5, 1881, to December 12, 1881; was defeated for President on the Republican ticket in 1884; was Secretary of State again from March 7, 1889, to June 4, 1892; and was the first president of the Pan American Congress. *Biographical Directory of Congress,* p. 707.

[53] William Windon was born in Ohio on May 10, 1827; was admitted to the bar in 1850, after receiving a college education; moved to Minnesota in 1855; was a Representative in Congress from March 4, 1859, to March 3, 1869; was a Senator from July 15, 1870, to January 22, 1871, and from March 4, 1871, to March 7, 1881; was Secretary of the Treasury from March 8, 1881, to November 14, 1881; and was elected to the Senate to fill the vacancy caused by his own resignation and served from November 15, 1881, to March 3, 1883. He then moved to New York City and practised law, and was Secretary of the Treasury from March 7, 1889, until his death on January 29, 1891. *Biographical Directory of Congress,* p. 1718.

[54] Aaron Augustus Sargent was born in Massachusetts on September 28, 1827; attended the common schools; was apprenticed to a cabinetmaker for some time; learned the printer's trade and worked for several months as a printer in Philadelphia; became secretary of a member of Congress the same year and moved to Washington; moved to California in 1849 and settled in Nevada City in 1850; and worked for the *Nevada City Journal* for a while, ultimately becoming owner. He studied law and was admitted to the bar in 1854; began to practice in Nevada City, California; was district attorney in Nevada County in 1855 to 1856; was a member of the state senate in 1856; was a delegate to the Republican National Convention in 1860; served in Congress from March 4, 1861, to March 3, 1863, refusing to run in 1862; and served again in Congress from March 4, 1869, to March 3, 1873, refusing to run in 1872. He served in the Senate from March 4, 1873, to March 3, 1879, refusing to run in 1878; and resumed the practice of law in San Francisco from 1879 to 1882. He was minister to Germany from 1882 to 1884; returned to the practice of law; was defeated for the Republican nomination for the Senate in California in 1885; and died in San Francisco on August 14, 1887. *Biographical Directory of Congress,* p. 1494.

Greensboro, N. C., October 18th1877

My dear Sir:

It seems *strange* to us that the patronage of this state should be managed and distributed by the manipulations of those who *entertain* and *utter* such as the following viz:

KEOGH ON HAYES.- We are informed that Thos. B. Keogh, Chairman of the Republican Ex. Committee of North Carolina, publicly proclaimed his disgust with Hayes not only on the streets of Washington but in Greensboro, N.C., in the presence of several prominent gentlemen. Mr.Keogh has said boldly that it hurts his feelings to go to the White House since Hayes has been there, and to see a mere shadow sitting in the place recently occupied by a man. Does he or does he not speak for the Republican party of the State?

[Newspaper clipping]

There is no doubt as to this utterance and the like.

You will do a public benefit. and oblige your friends of this section if you will make enquiry as to the appointment of a Collector for this district.

You are aware that all our Congressmen(save Brogden[55] who does not amount to much) are democrats,[56] and consequently we have no friends at Court.

I am most Respectfully

Thomas M. Owens[57]
Chairman.

To
Hon: James A. Garfield.

---

[55] See p. 145, note 21.

[56] The other Representatives from North Carolina from 1877 to 1879 were Jesse J. Yates, Alfred M. Waddell, Joseph J. Davis, Alfred M. Scales, Walter L. Steele, William M. Robbins, and Robert B. Vance. The Senators were Matt W. Ransom and Augustus S. Merrimon. *Biographical Directory of Congress,* p. 348.

[57] The editor has been unable to identify Thomas M. Owens.

NORTH CAROLINA BIBLIOGRAPHY, 1942-1943[1]

By Mary Lindsay Thornton

Bibliography and Libraries

Downs, Robert Bingham. Resources of New York City libraries; a survey of facilities for advanced study and research. Chicago, American Library Association, 1942. xiii, 442 p. $4.50.

North Carolina. Historical Commission. Forty years of public service, 1903-1943. Raleigh, North Carolina Historical Commission, 1942. (Its Bulletin No. 43.) v, [2] 115 p. illus. Apply North Carolina State Department of Archives and History, Raleigh.

North Carolina. Historical Records Survey. List of the *Papeles procedentes de Cuba* (Cuban papers) in the archives of the North Carolina Historical Commission. Raleigh, The North Carolina Historical Records Survey, 1942. iv, [2], 78 p. Apply North Carolina State Department of Archives and History. Reproduced from typewritten copy.

Preston, George Riley. Thomas Wolfe, a bibliography. New York, C. S. Boesen, 1943. 127 p. illus. port. $4.00.

Robinson, Anthony Lewin. William McDougall . . . a bibliography, together with a brief outline of his life . . . Durham, N. C., Duke University Press, 1943. xiii, 54 p. port. $1.50.

Thompson, Elizabeth Hardy, editor. A.L.A. glossary of library terms, with a selection of terms in related fields, prepared under the direction of the Committee on library terminology of the American library association. Chicago, American Library Association, 1943. viii, 159, [1] p. $3.50.

Religion and Philosophy

Campbell, Robert Clifford. Around the cross. Nashville, Tenn., Broadman Press, [c. 1942] 195 p. $1.25.

Fries, Adelaide Lisetta, editor. Records of the Moravians in North Carolina, volume VI, 1793-1808. Raleigh, North Carolina Historical Commission, 1943. x, 2451-3017 p. illus. Apply North Carolina State Department of Archives and History, Raleigh.

Hickman, Franklin Simpson. Signs of promise . . . with an introduction by Charles A. Ellwood. New York, Abingdon-Cokesbury Press, [1943] 186 p. $1.50.

Johnson, Talmage Casey. The crucifiers, then and now. Nashville, Tenn., Broadman Press, [1942] 116 p. $1.00.

Kirkland, Winifred Margaretta. The continuing Easter. New York, C. Scribner's Sons, 1943. 4, 60 p. $1.00.

Kirkland, Winifred Margaretta. The man of the hour. New York, The Macmillan Company, 1942. 171 p. $1.75.

---

[1] Books dealing with North Carolina or by North Carolinians published during the year ending August 31, 1943. A few of earlier date, omitted from previous bibliographies, are included.

OWNBEY, RICHARD L. Strength for service to God and Country by Richard L. Ownbey and Norman E. Nygaard. New York, Abingdon-Cokesbury Press, 1942.

STINESPRING, WILLIAM FRANKLIN, translator. From Jesus to Paul, by Dr. Joseph Klausner, translated from the Hebrew by William F. Stinespring. New York, The Macmillan Company, 1943. 624 p. $3.50.

TURNER, JOHN CLYDE. The gospel of the grace of God. Nashville, Tenn., Broadman Press, [1943] 165 p. $1.00.

TURNER, JOHN CLYDE. A truth in a smile. Nashville, Tenn., Broadman Press, [c. 1941] 101 p. $.75.

Economics and Sociology

BECKERATH, HERBERT VON. In defense of the West, a political and economic study. Durham, N. C., Duke University Press, 1942. xiii, 297 p. $3.50.

BROWN, CECIL KENNETH. Introduction to economics. New York, American Book Company, 1941. 534 p. $3.00.

COHN, DAVID LEWIS. Love in America, an informal study of manners and morals in American marriage. New York, Simon and Shuster, 1943. ix, 236 p. $2.00.

FRANKLIN, JOHN HOPE. The free Negro in North Carolina, 1790-1860. Chapel Hill, The University of North Carolina Press, 1943. x, 271 p. illus. $4.00.

GWYNN, JOHN MINOR. Curriculum principles and social trends. New York, The Macmillan Company, 1943. 630 p. illus. $3.50.

HEXNER, ERVIN. The international steel cartel. Chapel Hill, The University of North Carolina Press, 1943. xxii, 339 p. illus. $6.00.

LOCKMILLER, DAVID ALEXANDER. The consolidation of the University of North Carolina . . . with a foreword by Fred J. Kelly. Raleigh, Chapel Hill, [etc.], The University of North Carolina, 1942. xiv, [2], 160 p. illus. $2.00 pa., $3.00 bound.

NORTH CAROLINA, LAWS, STATUTES, ETC. The North Carolina code of 1943 . . . [Legislative edition] Charlottesville, Va., The Michie Company, [1942] xxxvi, 2082 p.

NUERMBERGER, RUTH ANNA (KETRING). The free produce movement, a Quaker protest against slavery. Durham, N. C., Duke University Press, 1942. (Historical papers of the Trinity college historical society. Series xxv.) ix, 147 p. $1.00 pa.

RAPER, ARTHUR FRANKLIN. Tenants of the Almighty. New York, The Macmillan Company, 1943. 403 p. $3.50.

REDDING, JAY SAUNDERS.[2] No day of triumph . . . with an introduction by Richard Wright. New York, Harper & Brothers, [1942] 6, 342 p. $3.00.

Science

CAMERON, EDWARD ALEXANDER. Brief trigonometry. New York, Reynal & Hitchcock, [c. 1941] viii, 121 p. $1.35.

COKER, WILLIAM CHAMBERS and BEERS, ALMA (HOLLAND). The *Boletaceae* of North Carolina. Chapel Hill, The University of North Carolina Press, 1943. vii, 96 p. front. 65 plates. $7.00.

[2] Mayflower Cup award, 1943.

DOBBINS, JAMES TALMAGE. Semi-micro qualitative analysis. New York, John Wiley & Sons, 1943. x, 422 p. $3.00.

JOHNSON, DOUGLAS WILSON. The origin of the Carolina bays. New York, Columbia University Press, 1942. xi, 341 p. illus. $2.50.

METCALF, ZENO PAYNE. *Fulgoroidea:* part 3. *Araeopidae (delphacidae).* (General catalogue of the hemiptera, fascicle IV.) Northampton, Mass., Smith College, 1943. 552 p. $5.00.

PEARSE, ARTHUR SPERRY. Introduction to parasitology. Springfield, Illinois, Charles C. Thomas, 1942. ix, 357 p. illus. $3.75.

STUHLMAN, OTTO. An introduction to biophysics. New York, John Wiley & Sons, [1943] vii, 375 p. illus. $4.00.

WINSOR, ARTHUR SIMEON. Modern higher plane geometry. Boston, Christopher Publishing House, 1942.

Applied Science and Useful Arts

BENNETT, HUGH HAMMOND. This land we defend. New York, Longmans, Green & Company, 1942. xv, 107 p. illus. maps. $1.50.

KISER, CLYDE VERNON. Group differences in urban fertility, a study derived from the national health survey. Baltimore, Williams & Wilkins Company, 1942. xii, 284 p. $2.50.

RANEY, RICHARD BEVERLY. A primer on the prevention of deformity in childhood, by Richard Beverly Raney . . . in collaboration with Alfred Rives Shands . . . Elyria, Ohio, National Society for Crippled Children, 1941. xix, 188 p. illus.

TENNESSEE VALLEY AUTHORITY. Flood control for upper French Broad River and tributaries, a preliminary report. Knoxville, Tenn., 1942. (TVA water control planning department report No. 0-3075) 448 p. illus. Reproduced from typewritten copy. Apply.

WOOLLEN, BETSY ROBERTS. How does your cotton grow? An educational story for children . . . with photographs by Bessie Walker Callaway. Clinton, S. C., Jacobs Press, 1942. 59 p. illus. $.50 pa.

Poetry

BURT, MAXWELL STRUTHERS. War songs. New York, C. Scribner's Sons, 1942. 46 p. $1.25.

EATON, CHARLES EDWARD. The bright plain. Chapel Hill, The University of North Carolina Press, 1942. 92 p. $2.00.

FRIEDRICH, GERHARD. When Quakers meet, and other poems. [Guilford College, N. C.] Guilford College, 1943. 3, 50, [2] p. $.50 pa.

SOUTHERN sampler, an anthology of prose and poetry by writers of the South (second series). New York, Harbinger House, [c. 1942] 176 p. $2.50.

WADDELL, MAUDE. "Songs of the South" (Poems). Charleston, S. C., Southern Printing and Publishing Company, 1942. 205 p. $2.50.

WAITE, MINNIE MAY (CURTIS). Verses. [Angwin, Calif., Angwin Bindery, 1942] 104 p. ports.

WARD, VERNON ALBERT, JR. International poems. Robersonville, N. C., Author, 1943. 26 p.

Drama

LEWIS, KATE (PORTER). Alabama folk plays . . . edited with an introduction, by Frederick H. Koch . . . Chapel Hill, The University of North Carolina Press, [1943] xxi, 152 p. illus. $2.50.

SMITH, BETTY, compiler, 25 non-royalty one-act plays for all-girl casts . . . with an introduction by Kenneth T. Rowe. New York, Greenberg, [1942] xiii, 359 p. $2.50.

Fiction[3]

BASSO, HAMILTON. Sun in Capricorn. New York, Chas. Scribner's Sons, 1942. 266 p. $2.50.

BENÉT, LAURA. Caleb's luck, story by Laura Benét, pictures by Ellis Credle. New York, Grosset & Dunlap, c. 1942. [28] p. illus. $.50. Juvenile.

CHASE, RICHARD, editor. The Jack tales told by R. M. Ward and his kindred in the Beech mountain section of western North Carolina and by other descendants of Council Harmon (1803-1896). [Boston], Houghton Mifflin Company, 1943. xii, 201, [1] p. illus. $2.50. Juvenile.

DODGE, CONSTANCE (WOODBURY). Weathercock. New York, Dodd, Mead & Company, 1942. 6, 370 p. $2.50.

FLETCHER, INGLIS. Men of Albemarle. Indianapolis, The Bobbs-Merrill Company, [1942] 566 p. $2.75.

GAITHER, FRANCES ORMOND (JONES). Little Miss Cappo . . . illustrated by Hildegard Woodward. New York, The Macmillan Company, 1937. ix, 254 p. illus. $2.00. Juvenile.

HARRIS, BERNICE (KELLY). Sweet Beulah land. Garden City, N. Y., Doubleday, Doran & Company, 1943. 389 p. $2.75.

HAYDN, HIRAM COLLINS. By nature free. Indianapolis, The Bobbs-Merrill Company, 1943. 427 p. $2.75.

JUSTUS, MAY. Dixie decides . . . illustrations by Aldren A. Watson. New York, Random House, [1942] 295 p. illus. $2.00. Juvenile.

LORING, EMILIE (BAKER). Rainbow at dusk. Boston, Little, Brown and Company, 1942. 311 p. $2.00.

MILLS, CHARLES. The choice. New York, The Macmillan Company, 1943. 424 p. $3.00.

[MOORE, BERTHA B.] Bread for the hungry, by Brenda Cannon, [pseud.] Chicago, Bica Press, [c. 1940] 159 p. front. $1.00.

MOORE, HARRY F. S. Murder goes rolling along. Garden City, New York, Doubleday, Doran and Company, 1942. x, 273 p. $2.00.

SIMON, CHARLIE MAY (HOGUE). Younger brother, a Cherokee Indian tale . . . illustrated by Howard Simon. New York, E. P. Dutton and Company, 1942. 182 p. illus. $2.00. Juvenile.

SIMS, MARIAN (MCCAMY). Beyond surrender. Philadelphia, J. B. Lippincott Company, 1942. 492 p. $2.75.

SLAUGHTER, FRANK GILL. Air surgeon. Garden City, New York, Doubleday, Doran and Company, 1943. 306 p. $2.50.

SMITH, BETTY.[4] A tree grows in Brooklyn, a novel. New York, Harper and Brothers, [c. 1943] 443 p. $2.75.

---

[3] By North Carolinians, or with the scene laid in North Carolina.
[4] Literary Guild selection, September, 1943.

TIPPETT, JAMES STERLING. Here and there with Henry. Yonkers-On-Hudson, New York, World Book Company, 1943. vi, 250 p. $1.00. Juvenile.

TOUSEY, SANFORD. Airplane Andy. Garden City, New York, Doubleday, Doran and Company, 1942. 44 p. $1.00. Juvenile.

WILDE, IRENE. The red turban. New York, Liveright Publishing Company, [c. 1943] 300 p. $2.50.

Genealogy

COOK, EARL A. Cook history and genealogy. Albemarle, N. C., Route 3, The Church Press, [1941]. 92 p. illus. $1.00.

LONG, MARY RUTHERFORD (HARSH). General Griffith Rutherford and allied families, Harsh, Graham, Locke, Holeman, Johnson, Chambers. Milwaukee, Wis., Cuneo Press, 1942. xi, 194 p. illus. $6.00.

MCIVER, HELEN H. Genealogy of the McIver family of North Carolina, part 1. Richmond, Va., Whittet & Shepperson, 1943. 53 p. $1.95 pa.

History and Travel

ALLEN, WILLIAM CICERO. The story of our state, North Carolina, by W. C. Allen . . . in collaboration with Clarence W. Griffin. Raleigh, The Dixie Press, 1942. xvi, 358 p. illus. $.80. Juvenile.

CAMP, CORDELIA and WILSON, EDDIE W. The settlement of North Carolina. [Cullowhee, N. C.] Cordelia Camp, 1942. 44 p. illus. $.35. Juvenile.

COX, WILLIAM EDWARD. Southern sidelights, a record of personal experience . . . with a foreword by Nell Battle Lewis. Raleigh, N. C., Edwards & Broughton Company, 1942. xii, 170 p. illus. $2.00.

HAMMER, CARL. Rhinelanders on the Yadkin, the story of the Pennsylvania Germans in Rowan and Cabarrus. [Salisbury, N. C., Rowan Printing Company, 1943] 130 p. plates. $3.00.

JOHNSON, CECIL. British West Florida, 1763-1783. New Haven, Yale University Press, 1943. ix, 258 p. illus. $3.00.

KUHN, HELMUT. Freedom forgotten and remembered. Chapel Hill, The University of North Carolina Press, 1943. viii, 267 p. $2.50.

LEIGHTON, CLARE VERONICA HOPE. Southern harvest, written and engraved by Clare Leighton. New York, The Macmillan Company, 1942. vii, 157 p. illus. $3.50.

MEAD, MARTHA ELIZABETH (NORBURN). Asheville, in land of the sky. Richmond, Va., The Dietz Press, 1942. vii, 188 p. illus. $3.00.

NATIONAL RESOURCES PLANNING BOARD. Regional planning, part XI: The Southeast. Washington, Government Printing Office, 1942. viii, 250 p. maps. $.55, pa.

NORTH CAROLINA view book. [Raleigh, Bynum Printing Company, 1943] [64] p. of illus. $1.00, pa.

Autobiography and Biography

BELLAMY, JOHN DILLARD. Memoirs of an octogenarian. [Charlotte, N. C., Observer Printing House, 1943] x, 201 p. illus. $2.75.

DAVIDSON, CHALMERS GASTON. Major John Davidson of "Rural Hill," Mecklenburg County, N. C., pioneer, industrialist, planter. Charlotte, N. C., The Lassiter Press, 1943. x, 93 p. illus.

HARTLEY, LODWICK. This is Lorence. Chapel Hill, The University of North Carolina Press, [1943] xii, 302 p. $3.00.

MCKELLAR, KENNETH DOUGLAS. Tennessee senators as seen by one of their successors. Kingsport, Tenn., Southern Publishers, 1942. xii, 625 p. illus. $3.00. Nine of the subjects are native North Carolinians.

MITCHELL, JOSEPH. McSorley's wonderful saloon. New York, Duell, Sloan and Pearce, 1943. 253 p. $2.50.

QUYNN, DOROTHY MACKAY and QUYNN, WILLIAM ROGERS. Barbara Frietschie. Baltimore, Maryland Historical Society, 1942. 45 p. port. $1.10. Order from Authors, 206 Woodridge Ave., Durham, N. C.

STEVENSON, AUGUSTA. Daniel Boone, boy hunter. Indianapolis, The Bobbs-Merrill Company, [1943] 194 p. illus. $1.50. Juvenile.

U. S. 77th CONGRESS, 1st SESSION, 1941-1942. HOUSE. Memorial services held in the House of Representatives of the United States, together with remarks presented in eulogy of Alonzo Dillard Folger, late a representative from North Carolina. Washington, U. S. Government Printing Office, 1942. 61, [1] p. port.

WALLS, WILLIAM JACOB. Joseph Charles Price, educator and race leader. Boston, The Christopher Publishing House, [1943] xx, 23-568 p. illus. $2.00.

WINKLER, JOHN KENNEDY. Tobacco tycoon, the story of James Buchanan Duke. New York, Random House, [1942] 337 p. illus. $3.00.

WINSTON, ROBERT WATSON. Horace Williams, gadfly of Chapel Hill. Chapel Hill, The University of North Carolina Press, 1942. x, 309 p. illus. $3.00.

WOLFE, THOMAS. Thomas Wolfe's letters to his mother, Julia Elizabeth Wolfe, edited with an introduction by John Skally Terry. New York, C. Scribner's Sons, 1943. xxxv, 368 p. port. $3.00.

New Editions and Reprints

ELLWOOD, CHARLES ABRAM. Sociology: principles and problems, revised and enlarged. New York, American Book Company, 1943. 408 p. $2.00.

FOUNTAIN, ALVIN MARCUS. The Engineer's manual of English by W. O. Sypherd, A. M. Fountain, and S. O. Brown. Revised ed. Chicago, Scott Foresman and Company, 1943. xv, 503 p. $2.20.

GROVES, ERNEST RUTHERFORD and GROVES, GLADYS HOAGLAND. Sex in marriage . . . New edition. New York, Emerson Books, 1943. viii, 224 p. $2.00.

HARGROVE, MARION. See here, Private Hargrove. New York, Pocket Books, [c. 1942] 166 p. $.25, pa.

JORDAN, ARCHIBALD C. Everyday grammar: a guide to good usage. New edition. New York, The World Publishing Company, 1943. 194 p. $.49.

JORDAN, ARTHUR MELVILLE. Educational psychology. 3d edition. New York, H. Holt and Company, [1942] xviii, 597 p. illus. $2.90.

SLAUGHTER, FRANK GILL. Spencer Brade, M.D. London, Jarrolds, 1943. (Jay Novel Library) 9s 6d.

[THORNBURG, LAURA.] The Great Smoky mountains by Laura Thornborough [pseud.] Revised and enlarged edition. New York, Thomas Y. Crowell Company, [1942] xiv, 177 p. illus. $2.50.

WINSTON, ROBERT WATSON. Robert E. Lee. New York, Grosset and Dunlap, 1941. $1.29.

WOLFE, THOMAS. The hills beyond. Garden City, N. Y., Sun Dial Press, [1943] 386 p. $1.00.

BOOK REVIEWS

PARLIAMENTARY PRIVILEGE IN THE AMERICAN COLONIES. By Mary Patterson Clarke. (New Haven, Yale University Press. 1943. 303 pp. $3.50.)

This is a scholarly, well written, and heavily documented study of a somewhat neglected phase of American constitutional development. Miss Clarke shows how all of the colonial assemblies modeled themselves upon the "Mother of Parliaments," how they gradually took upon themselvs the characteristics and powers of local parliaments, and how they asserted and successfully maintained a set of rights which Parliament had claimed and exercised.

Miss Clarke traces the British background of Parliamentary privilege, and then she shows how the "small parliaments" in the various colonies proceeded to assert these privileges. She has an excellent chapter on "The Assembly as a Court" in which she discusses the legislature's exercise of judicial authority in trying criminal cases, in hearing civil suits, and in acting as a court of appeal. She also traces the evolution of impeachment procedure, with the lower house bringing charges and the upper house conducting the trial.

Another "privilege," the Speaker's petition, "was a recognized part of the political heritage acquired by the colonies from the mother country." In general this petition demanded five rights: (1) freedom from arrest; (2) freedom from molestation; (3) freedom of speech; (4) access to the governor; (5) that a favorable construction might be put on actions of the assembly. These five most important privileges of the English parliament were common to all the colonies. Some new "privileges" were developed from time to time, such as the request that the mistakes of the speaker should not be imputed to the house. The colonial assemblies not only claimed these things, but they were determined that the Speaker's petition be enforced, and on many occasions took action against persons who had violated certain clauses of the petition. There seems to have been more difficulty over "freedom from arrest" than over any other privilege.

One of the best chapters in the book deals with the determination of disputed elections. Virginia asserted this right in its first legislature and all of the other colonies followed suit. There is no record, however, of North Carolina doing anything on this

question prior to 1725. In her discussion of the control of the house over its own members, Miss Clarke shows how the assemblies expelled members, disciplined them for unethical conduct, fined them for unexcused absence or tardiness, and exercised other means of control. In 1758 a North Carolinian was expelled for perjury and was declared incapable of ever sitting in any future assembly. Such a severe punishment was unusual.

On important power which is closely connected with privilege is the right to punish for contempt. Many of the colonial assemblies asserted this power. The assemblies also appointed committees and referred grievances to them. The hearing of grievances on a variety of subjects tended to influence legislation and to enhance the position and authority of the house by widening its jurisdiction.

The claim of the colonial assemblies to "parliamentary privilege" did not go unchallenged. The governor opposed it when it conflicted with "prerogative"; the councillors did the same when it seemed to entrench on their rights; private individuals resented it when it caused them expense, humiliation, or physical suffering. More important than all others, the British government tried to curb this power of the assembly as an encroachment on the powers of the home government. But in spite of this opposition, parliamentary privilege became stronger as the colonial era progressed. It is probable that among all the activities of the assembly, nothing did more to foster in the colonies a sense of political independence than the demonstrations of the authority of the house that can be summed up under the term parliamentary privilege.

HUGH T. LEFLER.

UNIVERSITY OF NORTH CAROLINA,
CHAPEL HILL, N. C.

THE UNITED STATES, 1865-1900: A SURVEY OF CURRENT LITERATURE WITH ABSTRACTS OF UNPUBLISHED DISSERTATIONS. Volume I, September, 1941-August, 1942. Edited by Curtis Wiswell Garrison. (Fremont, Ohio: The Rutherford B. Hayes-Lucy Webb Hayes Foundation. 1943. Pp. ix, 176. $1.00.)

Within recent years the Hayes Memorial Library, maintained jointly by the state of Ohio and the Hayes Foundation, has become increasingly important to all interested in the history of the United States from 1865 to 1900. Quite properly the Library is in many respects a regional institution but through its grants-in-aid to students, through the valuable resources of the Library itself, through the wise policy of drawing on the resources of other libraries through bibliographical aids and the microfilm, and by assisting students in making available their researches through the microfilm process, it makes definite contributions toward the understanding of our national history in the broad sense.

The present publication is essentially a descriptive bibliography of the printed works, and many of the unpublished dissertations, made available during the year ending September, 1942. Naturally there is a good bit of overlapping for not all studies dealing even with the post-bellum period can or should begin or end at either 1865 or 1900. And of course some titles get included by a narrow margin as, for example, the unpublished dissertation on The Best Representative Short Plays in the United States, 1900-1940.

The comments on the titles included are intended primarily to indicate the contribution to knowledge and not to constitute a review of the work in the ordinary sense. In practice, however, many of the statements, including some of the more interesting ones, cannot be distinguished from the typical book review. The appraisals of the magazine articles are generally more helpful than those of the books, for the books have been reviewed previously in the current magazines whereas the articles have not. All the comments are by scholars well qualified in their respective fields.

Certain difficulties of arrangement were encountered because books and articles do not always fit neatly into definite categories. Titles in some sections are arranged alphabetically by author, in others they are arranged geographically, chronologically, or by states. It is not clear why under the Regional and State division (arranged geographically) there should be a

section on The Indian, or on the single state of Oklahoma, when the other states are grouped by regions. Nor did the reviewer understand the basis for dividing the dissertations into General and Introductory Studies.

All in all this is a convenient compilation; if it does not contain a great deal of information not elsewhere available to the specialist it will at least save him some bother. The general student will find it an excellent guide.

R. H. WOODY.

DUKE UNIVERSITY,
DURHAM, N. C.

THE SOUL OF A NATION: THE FOUNDING OF VIRGINIA AND THE PROJECTION OF NEW ENGLAND. By Matthew Page Andrews. (New York: Charles Scribner's Sons. 1943. Pp. xiii, 378. $3.50.)

The appearance of a volume dealing with the early history of Virginia needs neither excuse nor special occasion to justify it. The honor of being the first permanent English-speaking colony in the new world is Virginia's. That fact alone gives the earliest history of the Old Dominion a unique importance in American history.

Dr. Andrews, well-known for his volumes on Maryland and Virginia, has told in his latest work the story of Virginia up to 1625, from Raleigh's magnificent failure through the foundation and the dissolution of the Virginia Company of London.

It is not to be expected that many new details should appear in the story. Alexander Brown's laborious collection of documents and Miss Kingsbury's edition of the available records have given Virginia such a solid documentary basis that the occasional additions made by researchers change the picture hardly at all. The novelty in any volume is more likely to be in interpretation and emphasis than in newly discovered data.

The major points about which differences of opinion are likely are these: the motives for colonization, the character of the early settlers, Captain John Smith — both the part he played and the books he wrote — the progress of Virginia toward self-government, and the causes of the downfall of the company.

On all these points (and many more), Dr. Andrews has reviewed the evidence and has arrived at his own conclusions. The religious motive in the colonization of Virginia, he says, was "of primary importance." The evidence for this primacy

comes mostly from the pious declarations of the promoters which may be taken too seriously. Of reasons which are in the main non-materialistic, English nationalism and Spanish rivalry seem to the reviewer far more important.

As to the character of the settlers, Dr. Andrews justifiably believes that there was no greater proportion of so-called scum than in other settlements. The chief author of the reflections upon the character of early Virginians, Captain John Smith, is dealt with justly as a man and also justly, though hardly admiringly, as a historian.

The author's interpretation of the charter of 1609 is a return to the old thesis that the king's willingness to turn the government of the colony over to the company was a strategem to avoid responsibility if there were failure and to claim credit if there were success. Is it not more reasonable to suppose that the new set-up, made necessary by the fact that the charter grant of 1606 gave no specific boundaries, was agreed to by all concerned simply as the most practical method of breathing life into the colony? If written by Sandys, the charter is a credit to its author but it is not easy to see that that fact makes Sandys a pioneer democrat in a fight against totalitarianism.

It is, however, in respect to the assembly of 1619 that Dr. Andrews lets his enthusiasm get out of bounds. The so-called "great charter" of 1618 had, he says, the "significance of a written constitution." The assembly was a "counterpart to the Parliament of England." The "liberal leaders [who provided for it] regarded their proceedings as of the utmost significance for the preservation and promulgation of popular procedure, a conclusion indicated by the name they gave their plan," which they appropriately called "The greate Charter of privileges, orders, and laws." "The procedure of the Virginia-London Company, followed by that of the first General Assembly of Virginia, provided a two-fold precedent for the action of the Constitutional Convention of 1787."

The author, besides having a bent for finding precedents (the company's setting aside land for the support of a college is cited as a precedent for the United States government's policy in the west!), also likes to use terms like "popular rights," "democracy," and "democratic principles" to refer to Sir Edwin Sandys's ideas as to the proper procedures for the Virginia colony. It is dangerous indeed to apply to the events of the early seventeenth cen-

tury a terminology the principal implications of which are modern, even though the words themselves were used contemporaneously.

Sandys's encouragement of the Separatists to leave their Dutch refuge for Virginia hardly justifies either the sub-title of the book—"The Projection of New England" or the second half of the dedication to Sandys—"active proponent of the repatriation of his fellow-Englishmen exiled in the Netherlands."

Finally, Dr. Andrews is insistent that the causes of the downfall of the Virginia Company were political and not economic. He resents W. F. Craven's denomination of the company's decease as the "Failure of a Colonial Experiment," and, by emphasizing the struggle as one of monarchy *versus* self-government, comes to the logical (if the premise is correct) conclusion that the company, and of course, Sandys, was a preeminent success.

In many respects the volume has merit and even distinction. The characters in it seem real. The by-paths explored by the author have resulted in many interesting passages such as those on tobacco and malaria. The grasp that Sandys had of the real nature of colonization, an understanding which led him to reject the purely commercial point of view, has nowhere been more clearly shown than in this volume.

These virtues make one wish that the author had been guided less by piety and more by an impartial desire to recreate the events with which he deals.

ROBERT E. MOODY.

BOSTON UNIVERSITY,
BOSTON, MASS.

EDGAR GARDNER MURPHY. By Maud King Murphy. (New York: Published for the author. 1943. Pp. 120.)

Edgar Gardner Murphy was an Episcopal clergyman, publicist, and educator. His brief life—he died in 1913 in his forty-fifth year—was filled with many activities. Among the more important were the revision of Sunday School materials, child labor legislation, constitutional reform in Alabama, the improvement of education and of race relations in the South, and amateur astronomy. With the exception of two brief pastorates in the North, his entire life was either spent in the South or was concerned with Southern problems. Murphy's adult life falls logically into three divisions. The first dates from 1890 when he began

his career as a minister in San Antonio, Texas, to 1901 when he resigned the pastorate of St. John's Church in Montgomery, Alabama. Though he was primarily a minister during this first period, he found time to seek to improve race relations in Alabama, to participate in the movement for constitutional reform, and to inaugurate a state-wide movement for child labor legislation. The second period, from 1902 to 1908, covers the years in which he was executive secretary of the Southern Education Board. As the administrative official of that organization he busied himself in the effort to stimulate interest in education throughout the South and to interpret the Southern point of view on innumerable questions to the rest of the country. The last period, from 1908 to his death in 1913, covers the years in which he developed an interest in astronomy and sought vainly to recover his health.

This small volume, which contains a considerable amount of hitherto unknown information on Murphy, is an uncritical, sympathetic treatment by his wife. In reading it one has the feeling that it was written with considerable restraint that was, perhaps, the result of an insurmountable subjectivity. A full treatment of the forces and factors that shaped his early life, a more extensive discussion of his philosophy as contained in his writings, and a more careful analysis of the impact of his experiences on his subsequent points of view and activities would have added greatly to the book. An outline of dates in the back of the book will assist the historical-minded reader to follow Murphy's experiences with greater ease. A bibliography of his writings completes the work.

JOHN HOPE FRANKLIN.

NORTH CAROLINA COLLEGE FOR NEGROES,
DURHAM, N. C.

THE DIARY OF A VOYAGE TO CHINA, 1859-1860. By Young J. Allen. Edited by Arva Colbert Floyd. (Atlanta, Ga.: Emory University. 1943. Pp. 39. $.50.)

Two weeks before the end of the year 1859 a small party of Methodist missionaries set sail from New York for China. Among them was a twenty-four year old Georgian, the Reverend Young J. Allen, who was accompanied on this spiritual and physical adventure by his wife and their seven-months old daughter. The voyage was extremely long, and throughout its length

Allen kept a diary. Emory University has now published it in its entirety except, according to the introduction, for "The entries for a relatively small number of days, for which little was recorded besides the weather. . . ."

This document is not a new discovery. Bishop Warren A. Candler drew on it heavily for one of the chapters in his biography of Allen (*Young J. Allen: "The Man Who Seeded China,"* Nashville, 1931), but he did not exhaust the material and in the parts that he quoted he took liberties with Allen's grammar, punctuation, and phrasing.

As Allen was an observant and educated man, his diary tells a great deal about the experiences of passengers on a slow China ship of nearly a century ago; but naturally it is limited to his own experiences. He was unable, for example, to describe the deep misery of his sea-sick companions because he enjoyed remarkably good health. When he read parts of the diary to his wife he found her "displeased with the way I spoke of their sea-sickness. It was not expressed in strong enough terms for her. She wants me to write like she felt, without having felt so myself." However, this subjective quality gives the diary its chief value. Its pages reveal much about the character, motives, attitudes, religious thought, and reading habits of a young man who was to have considerable influence in China and in the Methodist Episcopal Church, South, in the course of a missionary career that was to extend over almost half a century.

CHARLES S. SYDNOR.

DUKE UNIVERSITY,
DURHAM, N. C.

MODERN NEGRO ART. By James A. Porter. (New York: The Dryden Press. 1943. Pp. viii, 272. $3.25.)

In this work the author, a professor of art at Howard University, traces the development of Negro art in America from the colonial period to the present. The earliest Negro artists were for the most part craftsmen and artisans whose work in their occupations as carpenters, cabinet makers, architects, blacksmiths, and the like reflected an inclination toward artistry that needed only leisure and training for a more complete expression. It was in the period after the Civil War that a substantial number of Negroes found the opportunity to take their places

in the growing group of American artists. The twentieth century afforded almost all the necessary requisites for Negro artistry to come into its own. It witnessed the emergence of great Negro artists in many fields, including the use of oils and tempera, lithographing, etching, and sculpturing with a variety of materials.

Professor Porter has taken great care to emphasize the fact that the evolution of Negro art has been an integral part of the whole development of art in America. The Negro artist has been affected by the same European influences and the same conditions in America that have affected other American artists. Consequently the works of Negro artists vividly reflect these influences. The wide recognition which Negro artists have achieved in recent years attests to the universality of the art which they have produced and to their perfection of form and richness of content. The author also points out that the significant contributions of the Negro to the development of the graphic arts, which are less expensive than some other media and materials, have demonstrated "his ability to improve the instruments of art as well as his capacity to make creative use of them."

In this work the author has made a significant contribution to the history of American art. The eighty-five halftone plates of outstanding examples of Negro art are a valuable addition to the book.

JOHN HOPE FRANKLIN.

NORTH CAROLINA COLLEGE FOR NEGROES,
DURHAM, N. C.

HARRIET TUBMAN. By Earl Conrad. (Washington: The Associated Publishers, Inc. 1943. Pp. xiv, 248. $3.25.)

This is the first full-length portrait of this gallant Negro woman whose contributions to the eradication of slavery rank with those of the most ardent antagonists of the institution. In this work the author traces carefully the career of Harriet Tubman from the position of a lowly slave in Maryland through the intricate maze of her own struggle for freedom to her daring activities as one of the most successful conductors on the underground railroad. If Harriet Tubman had not survived the antebellum period her nineteen excursions into the slave country

and her effective rescue of scores of slaves would have won for her the name of one of the ablest revolutionaries America has produced. Unlike many of her contemporaries, however, she was as active in the Civil War period as she had been in the prewar years. As spy, nurse, scout, and guerilla fighter for the Union forces, she lived up to Col. Thomas W. Higginson's earlier claim that she was "the greatest heroine of the age."

The author has used a variety of sources in reconstructing the life of Harriet Tubman, and the result is a lively, moving account of the "Moses of her people." One of its most significant contributions lies in the ample discussion of Mrs. Tubman's contributions to the Union forces during the war and of her activities during Reconstruction and in the movement for woman suffrage. In all these she displayed the same heroic qualities that earlier had been directed against the institution of slavery. Mr. Conrad's enthusiasm for his subject and the passion with which he writes sometimes have the effect of diminishing rather than enhancing the character of this courageous woman. Her complete and unselfish devotion to the causes for which she fought and the possession of an indomitable will to achieve her goal are attributes which require only a faithful description to give them the life and spirit which the biographer seeks to portray. One is gratified to observe that for the most part the author has successfully resisted the ever-present temptation to romanticize and idolize. Harriet Tubman has been rescued from partial oblivion, and, thanks to Mr. Conrad, her rightful place in our history will be known by a larger number.

JOHN HOPE FRANKLIN.

NORTH CAROLINA COLLEGE FOR NEGROES,
DURHAM, N. C.

HISTORICAL NEWS

A 12,000-ton Liberty ship, built in New Orleans and launched in April, 1943, has been named for Henry Groves Connor, North Carolina author and jurist.

A portrait of George Stevens of Asheville (formerly of Charlotte), business leader and promoter, by Wilford S. Conrow, was presented to the Mint Museum of Art, Charlotte, and unveiled on December 15.

The USS *Kephart,* a destroyer escort named for Lieutenant William Perry Kephart, USNR, who was killed in battle over Guadalcanal in October, 1942, was christened at the Charleston Navy Yard on January 6.

On January 19 the Mountain Orphanage (Presbyterian), near Black Mountain, celebrated its fortieth anniversary.

A meeting of the commission to purchase and preserve the Zebulon B. Vance home in Statesville was held in Greensboro on February 9. Encouraging progress is being made, mainly through the coöperation of the United Daughters of the Confederacy, in raising the necessary funds. A gift for this purpose of $500 from the North Carolina Shipbuilding Company, Wilmington, has been announced.

A North Carolina flag was recently presented to the Hall of Flags, a large auditorium in a civilian housing area at Pearl Harbor, Hawaii.

In November of this year the Disciples of Christ in North Carolina will observe at Wilson the one hundredth anniversary of their organization in this state.

A survey course in African history, covering the ancient, medieval, and modern periods, has been introduced at Shaw University, Raleigh. The course not only deals with the Songhay, Manding, and Ghana kingdoms but it also shows the importance of Africa in European history, the role of Africa in the present war, and the place that continent should fill in making the peace.

The newly published volume, *The Republic,* by Dr. Charles A. Beard, was written largely while the author was on an extended stay in the town of Tryon.

Dr. Guy B. Johnson, formerly professor of sociology at the University of North Carolina at Chapel Hill, has resigned to become executive director of the newly organized Southern Regional Council, with headquarters in Atlanta.

Professor C. H. Hamlin, of the department of social science of Atlantic Christian College, has published "The Disciples of Christ and the War between the States," *The Scroll,* December, 1943.

The *American Anthropologist,* XLIV (1943), 635-637, contains an article by Maurice A. Mook, of Washington, D. C., "A Newly Discovered Algonkian Tribe of Carolina." This tribe was the Moratock, who at the time Sir Walter Raleigh's colonies came to Roanoke Island in the 1580's were living along the lower Roanoke River.

Dr. Loren C. MacKinney of the University of North Carolina is the author of "Animal Substances in Materia Medica: A Study in the Persistence of the Primitive," a paper read in absentia at the seventh National Medical Congress of Argentina, and "An Unpublished Treatise on Medicine and Magic from the Age of Charlemagne," *Speculum,* XVIII (1943), 494-496. He has been elected to membership on the American Historical Association nominating committee and is chairman of the editorial committee on the Humanities volume for the University sesquicentennial.

Dr. J. C. Russell of the University of North Carolina is the author of "An Introduction to the Study of Medieval Biography," *Modern Language Quarterly,* IV (1943), 437-453, and "Richard of Bardney's Account of Robert Grossetestis Early and Middle Life," *Medievalia et Humanistica,* II (1944), 45-54.

The Social Studies, vol. XXXV, no. 1 (January, 1944), contains an article, "History as a Living Force," by Dr. Christopher Crittenden. This was delivered as an address to the Pennsylvania Historical Association at Harrisburg, October 16.

Dr. Christopher Crittenden and Mrs. Ellen M. Rollins, of the State Department of Archives and History, for the past eight months have been writing a weekly newspaper column, for Sunday morning release, giving the historical background of matters of current interest such as strikes, Japanese atrocities, the

income tax, and the German submarine menace. The column has been used with greater or lesser regularity by the Richmond *Times Dispatch,* the Raleigh *News and Observer,* the Durham *Herald-Sun,* the *High Point Enterprise,* the *Charlotte Observer,* the *Asheville Citizen,* the Spartanburg *Herald-Journal,* and the Columbia *State.*

A twenty-four page booklet, listing publications of the faculty through June, 1943, has been published by the Woman's College of the University.

The myth of North Carolina's only "manuscript newspaper," now in the Duke University library, has been exploded with the revelation that these handwritten sheets were merely printer's copy. The paper, *The Weekly News,* was published in the 1860's by J. M. L. Harrington, in Harnett County. No copy of the printed paper is known to exist.

Shaw University students are collecting letters from the approximately 225 graduates and former students of the University who are now serving in the armed forces. These letters will be deposited with the State Department of Archives and History.

The program for collecting North Carolina war records, conducted jointly by the State Department of Archives and History and the Office of Civilian Defense, continues to arouse interest and to bring results throughout the state and thousands of items continue to pour into the central office. Of particular interest are several dozen radio transcriptions of speeches, patriotic celebrations, and the like contributed by Radio Stations WPTF and WRAL in Raleigh and WBIG in Greensboro.

Mr. James B. Vogler, executive secretary of the State Salvage Committee, and Dr. Christopher Crittenden, secretary of the State Department of Archives and History, have issued a joint statement urging that valuable historical manuscripts and other relics be preserved and not sacrificed in the current salvage campaigns. Such items, it is stated, will total so small a quantity as to make no material difference in supplying war needs.

Publications received include: Bell Irvin Wiley, *The Plain People of the Confederacy* (Baton Rouge: Louisiana State University Press. 1943); Charles W. Ramsdell, *Behind the Lines*

in the Southern Confederacy (Baton Rouge: Louisiana State University Press. 1944); Albert B. Saye, *New Viewpoints in Georgia History* (Athens: University of Georgia Press. 1943); George W. Paschal, *History of Wake Forest College,* volumes II and III (Raleigh: Edwards and Broughton Company. 1943); Adelaide L. Fries, *The Road to Salem* (Chapel Hill: The University of North Carolina Press. c. 1944); W. C. Hendricks, editor, *Bundle of Troubles and Other Tarheel Tales* (Durham: Duke University Press. 1943); Joseph Addison Turner, *Autobiography of "The Countryman,"* 1866, edited by Thomas H. English Emory University Publications, Sources, and Reprints, Series I (Atlanta: The Library, Emory University. 1943. Pamphlet); George H. Ryden, *Biographical Sketches of Caesar Rodney (the Signer), Thomas Rodney, and Caesar A. Rodney* (Dover: Historical Society of Delaware. 1933. Reprinted by the Delaware. Public Archives Commission. 1943. Pamphlet); James Benson Sellers, *The Prohibition Movement in Alabama,* 1702-1943, The James Sprunt Studies in History and Political Science, vol. XXVI, no. 1 (Chapel Hill: The University of North Carolina Press. 1943); and Clarence Edwin Carter, compiler and editor, *The Territorial Papers of the United States,* vol. XI, *The Territory of Michigan,* 1820-1829, continued (Washington: Government Printing Office. 1943).

Recent accessions to the State Department of Archives and History include: a large quantity of loose material and approximately 175 volumes of Stokes county material, consisting of the minutes of the pleas and quarter sessions court, minutes of the superior court, minutes of the board of county commissioners, marriage records, inventories, administrators' bonds, guardians' accounts and bonds, settlements of estates, and other miscellaneous records, covering the period from 1790 to 1931. Four maps have been purchased: "Map of North Carolina." From Gray's Atlas. Scale, 1″ to approximately 30 mi. 14-⅞″ x 11-⅞″. (1864). Printed in color; "Map of Virginia & West Virginia." From Gray's Atlas. Scale 1″ to approximately 30 mi. 14-⅞″ x 11-⅞″. Printed in color; "A New Map of Nth. Carolina with its Canals, Roads & Distances from place to place, along the State & Steam Boat Routes." By H. S. Tanner. Engraved by W. Brose. Philadelphia. Insets of Neuse River in Craven County, the Gold Region, and Profile of the Dismal Swamp Canal. 1833. Scale, 1″ to approximately 40 mi. 12-¾″ x 10-⅝″. Printed in

color; "U. S. Coast Survey, Benjamin Peirce, Superintendent. Port of New Berne, North Carolina. 1867. Scale, $\frac{1}{40000}$. 14-¾″ x 17-⅝″. Printed. Two other maps are: a "Sketch—showing position of Observatory at Raleigh, N. C., with regard to Capitol Building." Scale 40′ to 1″. 12-½″ x 12½″. Photostat. Gift from the State Department of Buildings and Grounds, and "State of North Carolina, Bertie County . . . Plan of the Lands allotted to the Tuscerora (*sic*) nation of Indians, the bounds of which are expressed in an Act of the General Assembly of the State aforesaid Passed in the year 1748, and which are as follows, viz, . . . Containing Fortyone (*sic*) Thousand, one hundred & thirteen Acres the Subdivisions Represent the Several Leases which appears to have been obtained from the said Indians, Subsequent to the 12 day of July 1766 & Prior to the first day of December 1777 . . . Certified under my Hand this 17th of June 1803. W. H. Boyce Surveyor." Scale, 200 Poles to 1 inch. 14¾″ x 17⅝″. Photostat. Original is in the Department of State, Land Grant Office, Raleigh.

NORTH CAROLINA STATE LIBRARY

CONTRIBUTORS TO THIS ISSUE

Mr. J. Herman Schauinger is an instructor in American history in the University of Idaho, Moscow, Idaho.

Dr. Henry T. Shanks is a professor of history in Birmingham-Southern College, Birmingham, Alabama.

Mr. Frank E. Vandiver is a student at the University of Texas, Austin, Texas.

Dr. James A. Padgett's address is 9 Fourth Street, Southeast, Washington, D. C.

Miss Mary Lindsay Thornton is in charge of the North Carolina Collection in the Library of the University of North Carolina, Chapel Hill, North Carolina.

THE NORTH CAROLINA HISTORICAL REVIEW

VOLUME XXI JULY, 1944 NUMBER 3

PUBLIC PRINTING IN NORTH CAROLINA, 1749-1815

By MARY LINDSAY THORNTON

Need for the preservation and distribution of laws and other state documents brought about the establishment of the press in North Carolina. The laws had been revised in 1715 and at that time the possibility of their being printed had been discussed.[1] But the revisal remained in manuscript and copies were distributed to the precinct courts with orders that they be kept open on the clerk's table during sitting of the court and that they be read aloud from beginning to end during the first term each year.[2]

Obviously this poor distribution of laws led to inaccuracies and evasions. In 1730 Governor Burrington[3] received as a part of his instructions the request that "all laws now in force be revived and considered" and a complete copy of them be sent to England.[4] A copy of the laws as revised in 1715 was sent with the governor's observations noted on the margin and with the general statement that they seemed to him "a body of Laws well adapted to the place."[5] In a note at the end of the document he claimed "encouragement for the printing of them . . . never effected."[6]

[1] John Urmstone, missionary, wrote to the secretary of the Society for the Propagation of the Gospel, February 14, 1715: "We have had all our Laws revived and amended where needful it was (and still they are confused and simple enough) and 'tis said they are to be sent to the proprietors for their approbation and then be printed." *The Colonial Records of North Carolina,* II, 220. This revisal was not printed in full until 1904 when it appeared as a part of *The State Records of North Carolina,* XXIII, 1-96.

[2] *Colonial Records,* XXIII, 95-96.

[3] Governor George Burrington (?-1759) arrived in North Carolina in 1731. His administration, which ended in 1734, was a stormy one. He was in conflict with the assembly and various officials over lands, powers of the courts, fees, and the governor's right to appoint officials and to create new precincts. *The Colonial Records of North Carolina,* III, iii-vi. M. D. Haywood, "George Burrington," *Dictionary of American Biography,* III, 327-328.

[4] *Colonial Records,* III, 96-97.

[5] *Colonial Records,* III, 146.

[6] *Colonial Records,* III, 189. A digest of laws in force in the colonies was published in London in 1704 under the title: *An Abridgement of the Laws in Force and Use in Her Majesty's Plantations; (viz) of Virginia, Jamaica, Barbadoes, Maryland, New-England, New-York, Carolina, &c . . . .*

It remained for a later governor, Gabriel Johnston,[7] to carry the enterprise to a successful conclusion, but it was not accomplished without repeated recommendations. In 1736 Governor Johnston first called attention to the need for legislation on this matter in his speech to the Assembly:

> . . . If you turn your eyes upon the laws . . . which ought to be the Guardians of your lives and fortunes, I'm afraid you will find them in a very bad scituation; upon the strictest enquiry I can't find that there is one compleat Copy of them in any one place, neither have I yet seen two copies of them which perfectly agree, some of them seem plainly calculated to promote fradulent practices, and I dare say have prevented many honest fair dealing People from settling in the Province. . . . As the happiness of every private man depends on the Laws I think this is a grievance which can never too soon be redressed.[8]

A reply drawn up by a committee agreed that "revisal . . . of our Laws (as your Excellency observes) is a matter of the greatest importance and we shall be glad to see it well executed and new laws framed."[9] At this time no mention was made of printing the revisal. Governor Johnston urged the assembly to act in 1737, reminding them that he was ready to promote any provision they chose to make.[10] In 1738 both houses appointed committees for revising the laws.[11]

In 1739 Governor Johnston added the need for printing the laws to his plea for a revisal.[12] A committee of the house of assembly composed of Eleazer Allen, Edward Moseley, and Roger Moor, in their answer proposed "to direct the printing" of the laws.[13] The necessity for the printing of the laws was again stressed in Governor Johnston's address in 1740:

> Since our last meeting here I have been obliged to travel through a great part of the Province and I cannot conceal from you Gentlemen the many complaints I have met with in every place of their wanting Copys of the Laws. Majistrates are at a loss how to decide controversies which arose amongst his Majestie's subjects, and even private persons, who were willing

---

[7] Governor Gabriel Johnston (?-1752), a native of Scotland, was educated at the University of St. Andrews. He was also professor of Oriental languages at that university and later a political writer in London. He arrived in North Carolina in 1734 and continued in office until his death in 1752. His administration was not without conflict with the assembly over quit rents and the location of the capital (Edenton or New Bern). He was active in promoting Scottish settlements on the upper Cape Fear and the migration of the Scotch-Irish and Germans to the Piedmont section. Samuel A'Court Ashe, "Gabriel Johnston," *Biographical History of North Carolina,* V, 187-193; E. L. W. Heck, "Gabriel Johnston," *Dictionary of American Biography,* X, 140.

[8] *Colonial Records,* IV, 227.

[9] *Colonial Records,* IV, 231.

[10] *Colonial Records,* IV, 271-272.

[11] The house committee "John Montgomery, Esqre., Mr. [John] Hodgson, and Mr. [Joseph] Anderson to joyn some of your House [Council] at Edenton, and Sir Richard Everard, Mr. Sam: Swann and Mr. John Swann to joyn some of your Members at Cape Fear." *Colonial Records,* IV, 407. The council appointed Chief Justice William Smith to join the commissioners at Edenton and Edward Moseley to join those at Cape Fear. *Colonial Records,* IV, 411.

[12] *Colonial Records,* IV, 357.

[13] *Colonial Records,* IV, 357-358.

to pay the taxes are puzzled in what manner and at what time to comply with the Law, there is very little difference Gentlemen betwixt having no Laws at all and living under such as are impossible to come at, and are never promulgated in an authentik manner.

If your Committee appointed to revise your Laws, have done their duty in any tolerable manner I am persuaded you will lose no time to relieve the Inhabitants you represent from so terrible a misfortune.[14]

That same year the assembly allowed the "Commissioners to the So'ward" five hundred pounds for revising the laws.[15] But five years later the governor was still protesting the delay in completing the revisal for publication,[16] and the committee on propositions and grievances was resolving "that the so long delaying the printing of the Laws that persons concerned scarce know when they transgress them, and thereby through ignorance become lyable to Fines and Punishments is a very great grievance."[17] Finally, on March 6, 1747, a law for revising and printing the laws was enacted naming as commissioners of revisal, Edward Moseley, Samuel Swann, Enoch Hall, and Thomas Barker, who were to receive sixty pounds each for this service, and have, in addition, a copyright on the work for five years.[18] The revisal was financed by an import duty on wine, rum, distilled liquors, and rice.[19] Another law, enacted in 1749, provided for its publication by establishing the office of public printer with certain specified duties, and naming James Davis as the first incumbent.[20]

About James Davis little is known before his selection as public printer in 1749 except that he had been living in Virginia, probably at Williamsburg, learning his trade under William Parks.[21] The Act of 1749 fixed his salary at 160 pounds proclamation money annually, with appointment for five years. He was required to live in New Bern;[22] to print, in the same type as his

---

[14] *Colonial Records,* IV, 471.
[15] *Colonial Records,* IV, 514.
[16] *Colonial Records,* IV, 772.
[17] *Colonial Records,* IV, 825.
[18] *Colonial Records,* IV, 862; *The State Records of North Carolina,* XXIII, 268. All the commissioners were men prominent in the affairs of the colony. Edward Moseley was chief justice, 1707-1711; surveyor-general, 1709; speaker of the assembly of 1715 which revised the laws; and a boundary commissioner, 1728 and 1729. George Davis, *A Study in Colonial History,* pp. 21-31. Samuel Swann was a distinguished lawyer and served as speaker of the assembly, 1742-1762, with the exception of 1754. Thomas Frederick Davis, *A Genealogical Record of the Davis, Swann, and Cabell Families,* p. 29. Enoch Hall was chief justice. *Colonial Records,* IV, 982, 996. Thomas Barker was treasurer of the colony, agent of the northern precincts in England, and clerk of the assembly. *Colonial Records,* IV, 1317, 232, 1168-1169; VI, 217, 1287-1288.
[19] *State Records,* XXIII, 268-272.
[20] *Colonial Records,* IV, 980.
[21] F. X. Martin, *History of North Carolina,* II, 54. A James Davis appears in the records of Bruton Church, Williamsburg, 1745. W. A. R. Goodwin, *Historical Sketch of Bruton Church, Williamsburg,* pp. 123-124.
[22] His first printing press was located at foot of Broad Street. *State Records,* XV, 378.

petition for appointment, at every session of assembly, the governor's addresses and the journals of the house of burgesses,[23] and be responsible for the delivery of a copy of each to the members of the assembly; to print all laws passed at the session and transmit a copy to the governor, to each member of the council and house, to the clerks of the assembly, general court, and county courts, to each justice of the counties, and to the Board of Offices in England; and also, to print and transmit to the proper places the public proclamations and all other acts of government. The salary of the office was to be met by a tax of four pence, proclamation money, on each taxable person in the province. Davis was also granted the sole right to sell the documents.[24]

The first official act of the public printer seems to have been the printing of money. The assembly authorized payment to him of 80 pounds on October 17, 1749, for the printing of twenty-one thousand three hundred fifty pounds public bills of credit, a half year's salary being advanced to him at this time.[25]

The long-awaited revisal was ready for printing in October, 1749, when the governor congratulated the assembly on the completion of this "work earnestly desired by and zealously struggled for by every honest man for these fifteen years past."[26] He promised a printed copy of it by the following June in a letter to the Board of Trade on December 21.[27] The revisal did not come off the press as early as expected. In the earliest surviving issue of Davis' newspaper, *The North Carolina Gazette*, November 15, 1751, it was advertised as "just publish'd."[28] The first issue of the revisal, with imprint date, 1751, ends with the laws of 1750, and was evidently published before the September, 1751, session. A later issue, bearing the same title page, ends with the laws of 1751, and must have appeared after September, 1751.[29] The volume was appropriately dedicated to Governor Gabriel Johnston, who had worked long to bring about its publication. Of the commissioners appointed for revisal of the laws,

---

[23]At least one official publication had been printed in Williamsburg prior to this time, *Narrative of the Proceedings of the North Carolina House of Burgesses*, 1740; S. B. Weeks, "Pre-Revolutionary Printers, Davis, Steuart, and Boyd," *The North Carolina Booklet*, XV, 105, (October, 1915).

[24] *State Records*, XXIII, 314-315.

[25] *Colonial Records*, IV, 1023.

[26] *Colonial Records*, IV, 1009.

[27] *Colonial Records*, IV, 924.

[28] The revisal is ante-dated by two issues of *The Journal of the House of Burgesses*, printed in 1749 and 1750 by Davis. D. C. McMurtrie, *Eighteenth Century North Carolina Imprints, 1749-1800*, pp. 27-28.

[29] Detailed descriptions and location of copies in libraries of these and other Davis imprints appear in McMurtrie, *Eighteenth Century North Carolina Imprints, 1749-1800*.

only Samuel Swann survived to sign the dedication.[30] A re-issue of the volume, with addition of the laws of 1752, is commonly called "the yellow jacket" from the peculiar color of the leather in which it was bound. A greater number of surviving copies may indicate that this issue was published in a larger edition.

In 1753 Matthew Rowan informed the Board of Trade that he had recommended to the assembly the revisal of the laws "but they seemed to think that important task fitter for the first session of a new Assembly."[31] In 1754 the Board of Trade instructed Governor Arthur Dobbs[32] that, since "many of the Laws heretofore passed in our Colonies and Plantations in America respectively have from time to time been either entirely or in part repealed . . . It is therefore Our will and pleasure that you . . . revise the Laws."[33] The assembly responded by appointing commissioners of revisal,[34] but another revisal did not appear earlier than the work compiled and published by James Davis in 1764. This volume is not a complete revisal, for it is limited to the laws in force enacted since publication of the revisal of 1751. It was followed in 1765 by *A Collection of All the Acts of Assembly of the Province of North Carolina Now in Force and Use,* also the work of Davis.[35] Another was projected as early as November 10, 1769, when Davis advertised in his *The North Carolina Gazette* for subscribers to "A Complete Revisal of All the Acts of Assembly," stating that "the first edition of the late revisal is intirely sold." But this fourth revisal printed by Davis did not appear until 1773. He had hoped to publish it in the fall of 1769, but the manscript was lost in the great storm of September 7, 1769, which destroyed his print

---

[30] "To His Excellency Gabriel Johnston, Esq: Captain-General, Governor and Commander in Chief, in and over His Majesty's Province of North-Carolina, and Vice-Admiral of the same. May it please Your Excellency, Col. Moseley, the other Commissioner concerned with me, in the Collecting, Compiling, Revising, and Printing the Laws in force in this Province, being dead, I alone beg Leave to Dedicate Them to Your Excellency, as their Patron and Protector; under whose wise and prudent administration, the greatest Part of the best of them have been formed . . . . I am Your Excellency's Most Dutiful and Obedient Servant, Samuel Swann." *A Collection of All the Public Acts of Assembly of the Province of North Carolina, Now in Force and Use,* p. 1.

[31] Rowan to the Board of Trade, *Colonial Records,* V, 24.

[32] Arthur Dobbs (1689-1765) was a native of Ireland, where he held the offices of high sheriff of County Antrim, member of parliament from Carrickfergus, and surveyor-general. He came to North Carolina as governor, October, 1754, and held the office until his death in 1765. His administration was notable for clashes with the assembly, mainly over the right of the governor to appoint the public treasurer and control the public funds, and over amendments to the court law. M. D. Haywood, "Arthur Dobbs," *Biographical History of North Carolina,* III, 80-83. J. G. deR. Hamilton, "Arthur Dobbs," *Dictionary of American Biography,* V, 336-337.

[33] *Colonial Records,* V, 1113-1114.

[34] *Colonial Records,* V, 270, 291.

[35] Davis said in the dedication of this volume to Governor William Tryon: ". . . It has long been expected, that a work of such an interesting nature to the Public, would have been undertaken by a select committee, appointed by the General Assembly; but their long Delay in the matter, added to the Sallicitations of many of my Friends induced me to undertake a Revisal of them."

shop.[36] Davis tells of his loss in *The North-Carolina Magazine,* November 10, 1769:

> These proposals [to issue a revisal] were published some time ago, and the books were to have been delivered this fall; the work was accordingly carried on, every sheet of it was lost in the ruins of the Printing-Office which was swept away in the late storm.

The volume published in 1773 was the last of the Davis revisals. That he was solely responsible for its compilation is affirmed in the dedication to Governor Josiah Martin:[37] ". . . I am well convinced, Sir, of my poor abilities to encounter a task of this arduous Nature, but seeing no abler Hand to undertake it . . . I have again embarked in the Service of my Country." A little later a copy went as a gift from Governor Martin to the Earl of Dartmouth with an apology for its "coarse dress," as the "Bookbinders here are not able to put it in seemly apparel."[38] Davis again proposed a revisal in an advertisement of July 4, 1777, in which he offered to print by subscription "An Exact Abridgment of All the Acts of Assembly of this State in Force and Use at $3.00, containing 500 pages."[39] On December 1 of the same year the upper house of assembly resolved that he be allowed the sum of 500 pounds toward this project, but the lower house did not concur.[40]

In addition to the four revisals, published 1751, 1764, 1765, 1773, three of which are entirely his work, Davis has to his credit the printing of practically all documents of a public nature issued by the colony and state from 1749 to 1782.[41] An examination of Davis's imprints which have survived, or of which there is a record, gives an indication of the type of publication which came from the press of the public printer. The Davis publications listed in the McMurtrie bibliography of North Carolina eighteenth century imprints may be classified as follows: session laws,

---

[36] In a letter of Thomas Clifford Howe, enclosed in a letter from Governor Tryon to Earl Hillsborough, the complete destruction of Davis's shop is described as follows: "Mr. Davis's house is a mere wreck, his printing office broke to pieces, his papers destroyed and types buried in the sand, his desk stove and what money he had with all his private papers entirely lost." *Colonial Records,* VIII, 74.

[37] Governor Josiah Martin (1737-1786) was probably born in Antigua. He was admitted to the Inner Temple in 1756, but proceeded no further with the law. He served in the French and Indian War as ensign, lieutenant, and captain. He was appointed governor of North Carolina in 1770, serving until driven from the colony by the Revolution in 1775. Loyal to the crown, he attempted to carry out his instructions to the best of his ability in spite of great opposition. After leaving the colony he planned a British invasion to join the loyal Scottish highlanders in North Carolina. Defeat of the highlanders at the battle of Moore's Creek Bridge prevented this being carried out. E. A. Jones, *American Members of the Inns of Court,* pp. 155-157. A. R. Newsome, "Josiah Martin," *Dictionary of American Biography,* XII, 343.

[38] *Colonial Records,* IX, 691.

[39] *The North Carolina Gazette* (New Bern), July 4, 1777, p. 4.

[40] *State Records,* XII. 155-156, 336.

[41] The Davis imprints have been described in the Weeks bibliographies, excellent for their time, and in the recent more complete work by McMurtrie.

36; journals, 27; revisals, 4; governor's proclamations and messages, 10; political essays, 5; money, 1; court document, 1; popular law book, 1; military document, 1; sermons, 7; textbooks, 2; reprints of out of state publications, mainly political, 7.[42] Doubtless many other Davis publications, both official and private, have been lost, but the larger proportion of provincial and state documents among the surviving imprints indicates that he was mainly concerned with his official duties and that he performed them faithfully.[43]

Davis's long term of office was not entirely without conflict and was almost terminated several times. In 1752 he was ordered to appear before the assembly and answer for his neglect in sending laws and journals to the counties as specified by law.[44] He countered the charge skillfully by replying that he had printed and delivered journals, speeches and addresses of every session, and that laws had been sent to the counties "though not by any express messenger therefore he can't pretend that they have received them." He went on to protest his small salary as inadequate for the employment of a messenger, thus turning defense into offense! Nevertheless the house moved that he be reprimanded for neglect of duty.[45] He was continued in office, without change of salary or duties from the specifications in the law of 1749, by the assemblies of 1754,[46] 1757,[47] and 1760.[48] An attempt to displace him was made in 1762 when Henry Eustace McCulloh proposed for appointment Alexander Purdie,[49] but this proposal was rejected by the house, and Davis was again elected.[50]

In 1764 Governor Dobbs expressed his displeasure with Davis in his message to the assembly:

> I can never approve of the late Printer appointed by the Assembly upon Account of His negligence in not Printing the Laws Journals and other Public Orders or dispersing them in proper numbers for the use of the Province and Consequently deserves no favour I must therefore recommend it to the Assembly to appoint a Sum to encourage a Printer to Reside where

---

[42] McMurtrie has compiled a table of the eighteenth century legislative sessions, indicating those for which printed journals and session laws have been located in the original edition. For the 48 sessions held during Davis's term of office, 12 issues of the journal and 34 issues of the laws have been located in libraries. McMurtrie, *Eighteenth Century North Carolina Imprints, 1749-1800*, pp. 13-15.

[43] Davis was prominent in politics. His position as printer was one of many offices he held. A detailed account of his life is given in S. B. Weeks, "The Pre-Revolutionary Printers of North Carolina," *The North Carolina Booklet*, XV, 104-115 (October, 1915); and in other sketches.

[44] *Colonial Records*, IV, 1340-1341.

[45] *Colonial Records*, IV, 1344-1345.

[46] *State Records*, XXIII, 399.

[47] *Colonial Records*, V, 866.

[48] *State Records*, XXIII, 538.

[49] *Colonial Records*, VI, 844-845.

[50] *Colonial Records*, VI, 913.

he can attend the Government and Assembly and do his duty to the Public and not barely Consider his own Profit and Conveniency.[51]

A committee was appointed by the house to find another printer to serve for one year.[52] Reason for Davis's neglect of official duties may have been the attention he must have been paying to other enterprises at this time. This was the year in which a Davis revisal appeared. This undertaking, which promised some extra remuneration, probably led to negligence of routine duties. He was also engaged in launching his second[53] newspaper, *The North-Carolina Magazine,* and was soliciting in its columns subscriptions to another work, *The Office and Authority of a Justice of Peace,* "to be delivered to the subscribers at 13 s 4 d each."[54] These publications, together with the second Davis revisal already being advertised as "speedily to be published,"[55] would have left little time for official routine. But in a real sense they may all be considered as "his duty to the public," particularly the revisals, which seem to have been financed entirely by subscriptions which he gathered by his own effort. Later in the year, the governor took action by appointing another printer, Andrew Stewart.[56] The house of assembly immediately protested appointment of "a printer under the sounding Appellation of His Majesty's Printer . . . of an unusual nature truly unknown either to our Laws or Constitution."[57] Two days later the house again elected Davis printer, at a salary of 200 pounds a year.[58] Andrew Stewart was allowed 100 pounds for "his trouble and expense in coming."[59]

Shortly afterward an advertisement appeared in Davis's paper, as follows:

JAMES DAVIS

Provincial Printer, appointed by the LOWER-HOUSE of ASSEMBLY informs the PUBLICK That on the 25th of December last, he received from the Speaker of the House Copies of the LAWS passed at the last Session of Assembly at Wilmington; which are now in the PRESS, and will be

[51] *Colonial Records,* VI, 1200.
[52] *Colonial Records,* VI, 1139.
[53] His first newspaper, *The North-Carolina Gazette* (New Bern), was published intermittently from 1751 to 1778. For the history of these papers see C. C. Crittenden, "North Carolina Newspapers before 1790," *The James Sprunt Historical Studies,* XX, no. 1 (1928).
[54] *The North-Carolina Magazine* (New Bern), July 6, 1764.
[55] *The North-Carolina Magazine,* September 7, 1764.
[56] *Colonial Records,* VI, 1301. Andrew Steuart (?-1769) was born in Belfast, Ireland, and served his apprenticeship in that city under James MacGee. He set up a press in Philadelphia in 1758 where he acquired a reputation for copying other people's publications without acknowledgment. He went to Wilmington in 1764 and there published *The North-Carolina Gazette and Weekly Post Boy* from 1764 to about 1766. Isaiah Thomas, *History of Printing,* I, 251-252, S. B. Weeks, "Pre-Revolutionary Printers," *The North Carolina Booklet,* XV, 116 (October, 1915).
[57] *Colonial Records,* VI, 1256.
[58] *Colonial Records,* VI, 1313.
[59] *Colonial Records,* VI, 1313-1314.

published by the First of February next; when they will be then sent to the several Counties agreeable to a Resolve of the House for that Purpose.[60]

In the same issue, another advertisement appeared:

THE LAWS

Passed the Last Session of Assembly at Wilmington, are printed by Andrew Stuart, and are ready to be delivered to the Clerks of the respective counties . . . . N. B. A few copies are left for Sale price 3/ which may be had of Mr. Richard Ellis, merchant in Newbern.[60]

Evidently each printer was acting in his official capacity. But the one supported by the lower house had the last word in the controversy, since that body controlled the purse strings. Andrew Stewart found himself in the untenable position of holding an office with no salary attached.

The controversy continued in 1765. Davis was again appointed by resolution of the house in May,[61] but in November the council protested payment to him of "L 190 for printing the Laws and Journals of 1764 and last session which allowance they cannot think just as a printer was by Commission under the late Governor appointed whose office it was to print the Laws and having performed that service is intituled to the proper salary. . . ."[62]

Opposition to Davis seems to have subsided in November, 1766, when a law was enacted naming him public printer for a term of three years at a salary of 250 pounds a year.[63] He was again appointed in 1769,[64] 1771,[65] and 1773,[66] and in 1774, for a term of only one year.[67] He was printer also in 1776.[68]

In 1773 William Hales, alias Spencer Dew, who was about to be executed in Duplin County for horse stealing, made a serious charge against Davis. As a part of his confession, Hales, admitted passing counterfeit money which he affirmed had been printed by Davis, and declared that for this service he had paid the public printer a commission on the profit. Hales's statement was

---

[60] *The North-Carolina Magazine* (New Bern), January 11, 1765.
[61] *Colonial Records*, VII, 59, 86.
[62] *Colonial Records*, VII, 334-335.
[63] *State Records*, XXIII, 675.
[64] *Colonial Records*, VIII, 131.
[65] *Colonial Records*, VIII, 350. The assembly authorized Adam Boyd to print one official document in 1771, a broadside *Table of Taxables* which had been compiled by John Burgwyn, clerk of the court of chancery and secretary of the council. *Colonial Records*, IX, 190-191. One copy of this document has survived in the library of the Massachusetts Historical Society. It was reprinted with notes in W. K. Boyd, ed., *Some Eighteenth Century Tracts Concerning North Carolina*, pp. 413-416.
[66] *Colonial Records*, IX, 774.
[67] *State Records*, XXIII, 971.
[68] *Colonial Records*, X, 974.

printed in *The Cape Fear Mercury*, September 22, 1773.[69] The charge may have been discredited as the effort of a criminal to pass on a part of his guilt to another man. James Davis held his office for three years after the accusation was published.

In April, 1777, James Pinckney was appointed printer to the state by a resolution of the assembly.[70] Governor Caswell wrote regretfully of this appointment in a letter to Hezekiah Alexander: "The Assembly thought proper to remove an old servant (the printer) for neglect of duty and appoint one who resided in Virginia, who after long delay, removed to Halifax about five or six weeks ago, where he died."[71]

Soon after Pinckney's death, Davis took up the official printing at his own expense. In an advertisement in his *The North-Carolina Gazette* of October 3, 1777, he explained the situation: "Mr. Pinckney, who was appointed Printer to this State in April last, being dead, and no Prospect of the State's being Able to get their Laws printed, Mr. Davis informs the Public, that he has undertaken this necessary work, and will dispatch them to the several Counties as soon as possible." His faithfulness was rewarded in November of that year when the assembly named him printer by resolution, with a salary of 500 pounds a year.[72]

During the following years Davis's salary showed a substantial increase, being advanced to 1,200 pounds in 1778,[73] and to 2,500 pounds in 1779.[74] The declining value of currency probably brought this about. In a petition to the assembly late in 1780 the printer complained that his salary due in 1778 was not paid until February, 1779, when depreciation had reduced its real

---

[69] Reprinted in David Leroy Corbitt, "Historical Notes," *The North Carolina Historical Review*, IV (1927), 471-474. Dew implicated Davis as follows: "I was in combination with J——s D—v—s, P—t—r in N—b—n, and received from him Three Hundred Pounds Proc. which I saw him make to Pass, and I was to give him one half of what I got for it; and in 1773, he also gave me Eight Hundred Pounds more of his own make on the same terms, which I left in the possession of William Marfault. I have seen Ja—s C——r receive from said D—v—s to the full amount of Two Thousand Pounds Counterfeit to Pass, and I verily do believe that John & George Kennedy are in Confederacy with said Davis."

[70] *State Records*, XII, 36.

[71] *State Records*, XI, 617. Willie Jones gave his opinion on Pinckney in a letter to Governor Caswell, August 29, 1777; ". . . Mr. Pinkney is dead: his death is not regretted by a single person who knew him in this part of the world. His conduct was so scandalous, that we only regret that he did not die before he had an opportunity of abusing this State in the gross manner he has done. I used every means in my power to stimulate him to his duty, and to enable him to perform it; but all to no purpose. When I went to Williamsburg after my return from Newbern, I found he was so involved there, that his creditors would not let him depart without money or security, and to expedite the public business, I advanced him money and became his security to the amount of upwards of 400 pounds, for which I have no kind of security. His Types were brought to Halifax, and I think of detaining them until I am made secure. I should therefor be glad (if there should be any application to your Excellency for administration of his estate) that it should not be granted until I could be informed of it." *Colonial Records*, XI, 600.

[72] *State Records*, XII, 118, 273.

[73] *State Records*, XXIV, 163-164.

[74] *State Records*, XXIV, 259.

value to 25 pounds; and that the price of paper had risen to 100 pounds a ream. It is not surprising that he found himself under "an absolute necessity of resigning the business." He consented to remain by special request and a promise of extra pay, but was unable to collect the amount due him. "It then became necessary for him to advance upwards of twenty-five hundred pounds before he could get the laws published."[75] Some relief may have come in a law passed in 1781 reducing his salary, but making it payable in specie and providing that the state bear the cost of paper for printing the laws.[76] Another difficulty that Davis was encountering was the necessity of delivering his publications to communities at greater distances than formerly. As an aid in delivery, he asked that the clerks of the courts be required to send for the publications at the expense of the counties.[77] Difficulties on the other side are set forth by Captain John Walker in a letter to Governor Abner Nash, June 16th, 1780: "I have sent to Newbern sundry times for the last Acts of Assembly. Mr. Davis has not, nor ever does, send them to us for many months after the Sessions of Assembly."[78]

These difficulties and increasing age may have induced Davis to lay down his office voluntarily. In 1782 his son, Thomas Davis, succeeded him as public printer[79] at an annual salary of 600 pounds, exclusive of the cost of paper.[80] He had received his training in his father's printshop,[81] and probably took over the Davis press.[82]

After the retirement of James Davis, who had been public printer of North Carolina for thirty-three years, state printing entered a new era. Printers seeking office encountered more competition as presses were established in larger numbers.[83] A new method of election made nomination of more than one firm the usual procedure. The rise of political parties and the tendency of political leaders to use the newspapers as a medium of party expression made editors take part in party battles, thus winning support for office. The office of state printer had par-

---

[75] *State Records,* XV, 222-225. But Davis had a copyright on his publications and sold copies of the laws for $3.00 a volume. *The North-Carolina Gazette* (New Bern), April 24, 1778, p. 4.

[76] *State Records,* XXIV, 407.

[77] *State Records,* XV, 222.

[78] *State Records,* XIV, 853-854.

[79] *State Records,* XVI, 177. By house resolution, May 17, 1782.

[80] *State Records,* XXIV, 444.

[81] *State Records,* XIII, 259-260.

[82] On February 15, 1782, he wrote Governor Burke from Halifax, asking for a wagon to transport a press to that town. *State Records,* XVI, 195-196.

[83] There were as many as eight newspapers established in North Carolina in the period from 1783 to 1789. Crittenden, *North Carolina Newspapers before 1790,* p. 13.

ticular significance in a time of intense party strife, such as the period at the end of the century, which saw the birth of a new party and the overthrow of an established one. Editors who had conducted their newspapers as impartial publications for dispensing all viewpoints, almost without editorial comment, indulged in the bitterest invective, with personal insults to political opponents. As warriors in the fray they were entitled to party patronage, and party support became necessary to hold office.

Party differences did not play a part as early as the election of Thomas Davis, or in the early years of the long tenure of Abraham Hodge. Thomas Davis, son of James Davis, was elected printer by resolution of the General Assembly in May, 1782.[84] There is indication that the office had been promised to him at the time of his father's retirement, since he wrote to Governor Burke on February 15th, requesting a wagon that had been offered to him to move the Davis press to Halifax.[85] A law passed that same year set his salary at 600 pounds specie a year, exclusive of the cost of paper.[86] Davis does not seem to have performed his official duties satisfactorily. The year after election he was petitioning the assembly for payment of a bill for paper, giving the want of it as the reason for his failure to print the journal of the last session.[87] In September, 1783, Benjamin Hawkins and Hugh Williamson suggested that another printer should be elected:

> We have not heard whether the Resolves of the Assembly, or even the Laws have been printed, nor do we hear that the art of Printing is in the State unless for the purpose of making money: This we mention because applications have been made to us by several printers to recommend them to be employed for the State. . . .[88]

In spite of complaint, Davis was again elected. A law passed in 1784, which named him printer, relieved him of some of the responsibility of delivery, costly in this time of scanty mail service. Laws were to be delivered by the printer to the superior court clerks who were responsible for holding them until the clerks of the county courts and the justices applied for them. Extra copies of the laws and journals were to be printed for the delegates of the state in Congress. The salary of the printer was lowered to 500 pounds a year, and the governor had the right to displace him and employ another in case of neglect of

[84] *State Records*, XIX, 127.
[85] *State Records*, XVI, 195-196.
[86] *State Records*, XXIV, 444.
[87] *State Records*, XIX, 166-167.
[88] *State Records*, XVI, 887.

duty.[89] At this same session Davis petitioned that he be paid "according to his expense and labor as by him stated" instead of by a fixed salary. The committee to which his petition was referred reported adversely, with the statement that they were considering the proposals of another printer, a certain Cist of Philadelphia, and that they were of the opinion that he should be induced to come to the state.[90]

In 1785 a law was passed changing the method of election to joint ballot of the two houses following nominations. Previous to this time printers had been elected by passage of a special bill, or by a resolution naming the printer. Documents to be printed were specified as before, with the exception of the reservation of the right of the general assembly to order publication of necessary accounts of executive officers and public bills. The number of copies of documents was specified as follows: 1,106 copies of the laws, 162 copies of the journal of both houses, and 162 copies of proclamations, accounts, or bills published by special order. There was no change in salary, but the printer was required to give bond for an amount double his salary.[91] Following enactment of the law, balloting for a printer took place, which resulted in the election of Arnett and Hodge, a New Bern firm.[92]

Abraham Hodge, who with successive partners[93] served as public printer for nearly fifteen years, was born in 1755 in the colony of New York. At the request of prominent citizens of North Carolina he moved to the state in 1784 or 1785.[94] At various times he owned presses in Edenton, Halifax, Fayetteville, and New Bern,[95] and published three newspapers.[96] His service as printer was continuous from 1785 to 1797, but Allmand Hall displaced him in 1798. He served again in 1799 for one year.[97]

During the period when Hodge was state printer the salary ranged from 500 to 600 pounds a year, but extra appropriations

---

[89] *State Records,* XXIV, 637-638.

[90] *State Records,* XIX, 465.

[91] *State Records,* XXIV, 748-749. *Acts* of the U. S. Congress were added to the list of documents to be published regularly in 1790, *State Records,* XXI, 833.

[92] *State Records,* XVII, 416.

[93] 1785, Arnett and Hodge; 1786, Hodge and Blanchard; 1787-1797, Hodge and Henry Wills; 1799, Hodge and William Boylan.

[94] "Obituary," by William Boylan, *The North-Carolina Journal* (Halifax), August 5, 1805.

[95] Stephen B. Weeks, *The Press of North Carolina in the Eighteenth Century,* p. 43.

[96] *The State Gazette of North-Carolina,* published by Hodge and Blanchard, later by Hodge and Henry Wills, in New Bern from about November 17, 1785, to March, 1788, when it was moved to Edenton (the last issue with Hodge and Wills as publisher was that of March 30, 1792); *The North-Carolina Journal,* published by Abraham Hodge and Henry Wills at Halifax, July 18, 1792-1812; *The North Carolina Minerva,* published by Hodge and William Boylan, at Fayetteville and Raleigh, 1799-1820+

[97] *Journal of the House of Commons,* 1798, p. 46.

were often made for printing documents not specified in the printing law of 1785. For example, in December, 1787, Hodge was allowed one hundred and fifty pounds for publication of documents as follows: Accounts of the Treasurer, appended to the *Journal*; 150 copies of Baron Steuben's *Military Instructions;* 1,500 copies of the Federal Constitution; and 300 copies of Resolves for calling a Convention.[98] At this same session a law was enacted for collecting and revising the laws of the state, and James Iredell was appointed commissioner of revisal with authority to contract for the publication of the work. The printer was required to furnish one copy to each county court, one to each superior court, and two copies for the use of the general assembly, the remainder to be sold by the printer, who had the privilege of copyright. The sum of five hundred pounds was advanced to the printer as a loan. Iredell was to be paid according to "labor and expences in compilation."[99] The revisal was advertised in *The State Gazette of North-Carolina,* September 8, 1788, by its printers, Abraham Hodge and Henry Wills, who were soliciting subscribers at an advance of 40 shillings to be deducted from the price of the book, which would be sold at 12 shillings per hundred pages. It was advertised on October 22, 1790, as "now in the press" and on November 11, 1791, as "just published."[100]

James Iredell was responsible for the printing of an important constitutional document. In a letter to John Steele in February, 1789, he said that the manuscript of the debates of the Hillsborough convention of 1788, which had failed to ratify the Federal Constitution, was in his hands, and that he had contracted with Hodge and Wills to print it by the middle of May. The printers were allowing him credit for the cost of publication, which he hoped would be reimbursed by the sale of the thousand copies ordered,[101] but this hope failed to materialize and the enterprise involved him in some pecuniary loss.[102]

Another important publication was undertaken as an enter-

---

[98] *State Records,* XX, 469.

[99] *State Records,* XXIV, 888-889.

[100] A series of supplements containing the session laws of the year was issued, 1792-1800, the original issue being bound with these each year and offered for sale as an up-to-date publication.

[101] James Iredell to John Steele, February 17, 1789. Henry McGilbert Wagstaff, ed., *The Papers of John Steele,* I, 33.

[102] Griffith John McRee, *Life and Correspondence of James Iredell,* II, 235.

prise by François Xavier Martin, New Bern printer,[103] who petitioned the General Assembly of 1790 to allow him "a small advance on his giving security" to enable him to publish a collection of these statutes of Great Britain which were then in force in the state. The assembly allowed him an advance of 100 pounds. He described the projected volume as "a quarto of demy-paper," priced at 15 shillings for every hundred pages.[104] Martin also printed the laws and journal of the special session of July, 1794, though Hodge and Wills were official printers at that time.[105]

In the period from 1785 to 1792 editors of newspapers rarely committed themselves on policies or state politics, conducting their papers as mediums for expression of all opinion, with little editorial comment.[106] Evidence of an exception to this policy as early as 1788 was Archibald Maclaine's withdrawal of his subscription to *The Wilmington Centinel and General Advertiser* on account of its anti-Federalist sentiment.[107] An examination of *The North-Carolina Journal,* one of the newspapers published by Hodge in the period when he was state printer, indicates that he maintained a non-partisan attitude during the period following the adoption of the Federal Constitution. Later, when the Federalist party came under attack, he naturally defended it as a public office holder who owed his office to that party.[108] A decided Federalist inclination appeared in *The North-Carolina Journal* in 1796, when political articles written by Virginia Federalist leaders were published in it.[109] In 1798 a Federalist victory was announced with the following comment: "Among these . . . we reckon seven Federalists—What a blow to the French faction!"[110] That same summer Hodge found himself involved in a political controversy which took a violent form when he published some anonymous handbills derogatory to the character of Thomas Blount, a Republican candidate for Con-

---

[103] François Xavier Martin was born in France in 1764. He was in New Bern in 1783 teaching French, later becoming a printer of school books, almanacs, and translations. In 1789 he was admitted to the bar, and he later prepared and published law treatises and compilations. He moved to New Orleans after 1806, and died there in 1846. Edward L. Tinker, "Jurist and Japer," *Bulletin of the New York Public Library,* XXXIX, 675-697.

[104] *State Records,* XXI, 906-907.

[105] *Laws of North Carolina,* 1794, colophon.

[106] Crittenden, *North Carolina Newspapers before 1790,* p. 38.

[107] Louise Irby Trenholme, *The Ratification of the Federal Constitution in North Carolina,* p. 27. *The Wilmington Centinel* was published by Bowen and Howard.

[108] Hodge was induced to move his *State Gazette* to Edenton by James Iredell. McRee, *Life and Correspondence of James Iredell,* II, 231.

[109] *The North-Carolina Journal,* August 8, 1796.

[110] *The North-Carolina Journal,* October 8, 1798. But Gilpatrick says: "Classification of the new delegation [by Hodge] as seven Federalists and three Republicans was not accurate." D. H. Gilpatrick, *Jeffersonian Democracy in North Carolina, 1789-1816,* p. 110.

gress. Blount, meeting him on the street in Halifax, demanded the name of the author of the handbills, which were also printed in Hodge's newspaper,[111] and, on being refused, attacked the editor, giving him several strokes with a small cane. Hodge painted himself as an impartial agent for the dissemination of all opinion,[112] but during this period his paper contradicted this in almost every issue.

Allmand Hall of Wilmington was elected public printer in 1798.[113] At this time he was publishing *Hall's Wilmington Gazette,* which he tried to maintain neutral.[114] His election over Abraham Hodge was opposed by prominent Federalists, among them Samuel Johnston, who said Hall's victory "mortified" him greatly.[115] The new public printer held office only one year.

A law passed in 1798 required the public printer to live in Raleigh, the state capital.[116] To meet this requirement Hodge and Boylan moved their printing office from Fayetteville to Raleigh in May, 1799, and established their newspaper, *The Minerva,* in the capital.[117]

At about the same time a group of Republican leaders, interested in setting up a newspaper favorable to their party, now in the lead in North Carolina, persuaded Joseph Gales of Philadelphia to move to Raleigh. In Gales they secured an editor who had experience, ability, and reputation as a liberal.[118] He had recently been obliged to leave England on account of government opposition to the liberal character of his newspaper, *The Sheffield Register.* On his arrival in Raleigh he established *The Raleigh Register,* the first issue appearing on October 2, 1799. *The Minerva,* established by Hodge and Boylan, ante-dated it by some months. Gales's political backing and the character of his editorial writing made him a formidable rival to Hodge for the office of public printer. Both were seeking election in 1799, but

---

[111] *The North-Carolina Journal,* August 6, 1798.

[112] *The North-Carolina Journal,* August 13, 1798.

[113] *Journal of the House of Commons,* 1798, 46.

[114] Gilpatrick, *Jeffersonian Democracy,* p. 89.

[115] Cited in Gilpatrick, *Jeffersonian Democracy,* p. 101, note. Samuel Johnston to James Iredell, December 14, 1798. Charles E. Johnson collection, University of North Carolina library, Chapel Hill.

[116] *Laws of the State of North Carolina,* 1798, pp. 16-17.

[117] *The North Carolina Minerva,* May 28, 1799. William Boylan, who had succeeded Henry Wills in the firm, was Hodge's nephew. He was born in New Jersey, and as a youth came to North Carolina to work in his uncle's printshop. He was active in the establishment of *The North Carolina Minerva* in Fayetteville in 1799. Douglas C. McMurtrie, *History of Printing in the United States,* II, 354.

[118] Born in Eckington, England, in 1760, he was publishing *The Sheffield Register* in 1794, when his criticism of the action of English officials resulted in a warrant being issued for his arrest, and he was obliged to flee the country. In Philadelphia he had employment with newspapers and gained the attention of members of Congress by his use of shorthand to report debates. Willis G. Briggs, "Joseph Gales, Editor of Raleigh's First Newspaper," *North Carolina Booklet,* VII, 110-114 (October, 1907).

Hodge and Boylan claimed the priority of their establishment in Raleigh as a point in their favor. Opposition to Hodge was led by Thomas Blount, who had been the aggressor against him in the recent cane episode in Halifax.[119] The election resulted in a victory for Hodge and Boylan, but Gales made a good showing for a foreigner who had established residence in the state only a few months before. The vote was: Hodge and Boylan, 107; Gales 36; Allmand Hall, 17.[120]

Preparations for the fight in the general assembly of 1800 began early. Charles Harris thus described the Republican candidate:

> . . . Great expectations are making by Mr. Baker, Blount, Macon, and a few others to have Gales elected public printer in place of our friend Hodge. The *gentleman Gales* is said to be by birth an Irishman, but it is certain that he lately conducted a weekly publication in Sheffield in England and came to America because he did not behave peaceably at home. It is certain that he was invited from Philadelphia to Raleigh by party men for party purposes. A letter of John G. Blount to Gen. Willis of Lumberton is a sufficient proof of this. . . .[121]

Harris also told about a fight at Raleigh between William Boylan and Blake Baker, attorney general of North Carolina, over the matter of state printing. Baker seems to have come out rather the worse as he was described as having received "four or five blows on the back without facing the danger."[122]

Soon after the opening of the general assembly William Polk reported the result of the election of the printer to John Steele, as follows:

> The General Assembly have commenced their annual session, with a higher tone of Jacobinism than has hitherfore appeared. . . . Flushed with success and power they this day brought in the ballot for State printer when the man Gales was elected by a majority of 24 votes over Hodge and Boylan.[123]

Gales held the office for ten years,[124] but not without opposition. Almost every year the general assembly discussed public printing, with a Federalist minority struggling to displace Gales. The debate often took the form of consideration of petitions of the rival candidate, William Boylan, who was now running alone. Abraham Hodge withdrew from the firm after April 25,

---

[119] Gilpatrick, *Jeffersonian Democracy*, pp. 105-106.
[120] *Journal of the Senate*, 1799, p. 3; *Journal of the House of Commons*, 1799, pp. 2-4, 9-10.
[121] Charles W. Harris to Robert Harris, August 29, 1800. Henry M. Wagstaff, ed., *The Harris Letters*, p. 81.
[122] Charles W. Harris to Robert Harris, September 18, 1800. Wagstaff, *The Harris Letters*, p. 83.
[123] Wagstaff, *The Papers of John Steele*, I, 190-191.
[124] The last three years, 1808-1810, jointly with his son-in-law, William Winston Seaton.

1803, to live in Halifax and edit *The North-Carolina Journal*[125] until his death on August 3, 1805.[126] Boylan's campaign method was to offer to do the printing at a lower cost,[127] to call attention to his better claim as a native American, and to charge Gales with neglect of duty. The bitterness of the fight is displayed in the columns of the rival newspapers.[128] In December, 1804, printed insults led to blows and a fight took place on the capitol steps, with Boylan striking Gales several times. Reverberations of this encounter resounded in the columns of *The Raleigh Register* and *The Minerva.*[129] Gales displayed the usual unrestrained character of the battle of words in his comment on Boylan in *The Register* of December 10: "The cold-blooded assassinator of private character, the secret plotter against his neighbor's fame, is at length dragged before the public and stands forth that literary wonder, that scientific desperado, that butcher of good names—William Boylan!"[130]

The general assembly of that year passed a resolution calling for a division of the printing between Gales and Boylan,[131] but the resolution was rescinded four days later by both houses. Boylan made an effort to gain election by offering to do all the printing for 300 pounds less than Gales's salary.[132] His petition was referred to a committee which reported adversely, recommending the drawing up of a new printing bill.[133] A fight over the salary clause in the bill ensued, with the amount fluctuating between 500, 550, and 600 pounds and with the house of commons contending for the higher amount.[134] The law as finally enacted set the salary at 500 pounds annually, with an extra allowance of 40 shillings a county for delivery of documents.[135] This in American money amounted to a salary of $1,200, together with $4 a county.[136] In 1805 the house of commons pro-

---

[125] Clarence S. Brigham, "Bibliography of American Newspapers, 1690-1820: Part X, North Carolina," *Proceedings of the American Antiquarian Society,* New Ser., XXVIII, part 2, pp. 309-311.

[126] *The North-Carolina Journal* (Halifax), August 5, 1805.

[127] *Journal of the House of Commons,* 1804, p. 12.

[128] *The Raleigh Register,* July 9, 16, 30; September 17; October 1, 29; November 12, 1804. *Minerva,* July 9, 23; August 13, 20; September 10, 24; October 15; November 12, 1804. Cited in Gilpatrick, *Jeffersonian Democracy,* p. 137, note.

[129] *The Raleigh Register,* December 10, 1804; *The Minerva,* December 10, 17, 24, 1804. Cited in Gilpatrick, *Jeffersonian Democracy,* p. 138, note.

[130] *The Raleigh Register,* December 10, 1804, quoted by Guion G. Johnson, *Ante-Bellum North Carolina,* p. 786.

[131] *Journal of the House of Commons,* 1804, p. 6.

[132] *Journal of the House of Commons,* 1804, p. 12.

[133] *Journal of the Senate,* 1804, p. 22.

[134] *Journal of the Senate,* 1804, pp. 26, 32; *Journal of the House,* 1804, pp. 37, 40.

[135] *Laws of the State of North Carolina,* 1804, chapter XIX, pp. 9-10.

[136] *The Star* (Raleigh), November 29, 1810, p. 192.

posed a joint committee to prepare a bill amending the law, but the senate did not agree to this proposal.[137]

Another contest for office began to gather force in 1809 when a bill was drawn up to repeal the salary section of the 1804 printing law. The stated reason was the need for reduction of expenses, but the real moving force probably was opposition to Gales. The bill was tabled[138] but the question came up again the next year, when the advisability of appointing a committee to confer with the heads of departments on printing costs was discussed.[139] A bill was drawn up and after much debate was passed on December 3, 1810;[140] it was reported in detail in *The Raleigh Minerva* and *The Star*.[141] Arguments for a change expressed were: that Gales was receiving too much and more than he said he was; that an inquiry about salaries in other states should be made; that a policy of receiving bids for printing might well be adopted since the United States Congress used this method. Arguments used against amending the 1804 law were: that Gales's salary was no larger than the committee of 1804 had recommended; that the practice of "bartering away offices" to the lowest bidder should not be tolerated; that a lower salary would drive away printers (this was contradicted as "an imaginary spectre which will frighten nobody [as] Printers are daily multiplying"); that the measure would show "niggardly economy." William Johnston of Anson County protested the reduction of the salary of the public printer to meet the bid of a competitor since it would tend to increase rather than lessen "a spirit of party and intemperance in the legislature highly pernicious to a deliberative body." He estimated the actual cost of argument over this recurring question during the past ten years by salaried legislators as $15,950.[142]

The law of 1810 reduced the printer's salary to $900 a year without extra allowance for delivery.[143] The firm of Gales and Seaton was again elected, defeating a new nominee, Thomas Henderson, Jr., but the reduction in salary must have brought disappointment and loss of prestige to Gales. *The Raleigh Minerva* commented in sarcastic vein:

---

[137] *Journal of the House of Commons*, 1805, p. 2; *Journal of the Senate*, 1805, p. 5-6.
[138] *Journal of the House of Commons*, 1809, p. 44.
[139] *Journal of the House of Commons*, 1810, p. 7.
[140] *Journal of the House of Commons*, 1810, p. 20.
[141] *The Raleigh Minerva*, November 29, December 6, 1810; *The Star* (Raleigh), November 29, December 13, 1810.
[142] *Journal of the House of Commons*, 1810, pp. 42-43.
[143] *Laws of the State of North Carolina*, 1810, p. 13. *The Star*, December 27, 1810.

Our readers will have observed that the former method of appointing public printer is to be persevered in by the legislature. On Friday last, Messrs. Gales and Seaton were re-elected to that office, in opposition to Mr. Henderson, by a small majority. What then, has become of the declaration of the public printers that the work could not be executed for less than their former salary, when they now consent to do it for little more than half that?[144]

The next year three firms were nominated, Lucas and Boylan, now publishing *The Minerva,* Gales and Seaton, and Thomas Henderson, Jr.[145] Gales and Seaton withdrew when repeal of the salary reduction law of 1810 could not be accomplished,[146] and Thomas Henderson, Jr., was elected.[147]

The new printer had established *The Star* in Raleigh, November 3, 1808, with Dr. Calvin Jones, a native of Massachusetts, as his partner. He was a Federalist but attempted to keep his paper neutral. *The Star* introduced some new ideas in North Carolina journalism, emphasizing state news, and art, literature, theatre, agriculture, and history. It published an annual index. Henderson was generally popular and this fact, together with his neutral editorial policy, may have contributed to the decline of political conflict over the office following his election.[148] He received a raise of $100 a year in 1815.[149]

Public documents published during the period from 1782 to 1815 were of much the same type as those published in the colonial period. Laws and journals of the general assembly continued to be the only serial publication throughout the period. Individual laws, published as separates, must have been printed in fairly large numbers, but few copies of them have survived in libraries. Reports of state departments and officials are found as a rule only as appendices to the laws and journals.[150]

Revisals and compilations of laws, authorized by the assembly, were usually financed by the printer by advertising for advance subscriptions. As promoter of legal publications, François Xavier Martin succeeded to the leading place formerly filled by James

---

[144] *The Raleigh Minerva,* December 20, 1810.

[145] *Journal of the Senate,* 1811, p. 51; *Journal of the House,* 1811, p. 31.

[146] *Journal of the House,* 1811, p. 55.

[147] *Journal of the Senate,* 1811, p. 51.

[148] Archibald Henderson, *The Old North State and the New,* II, 674-676. Governor Swain said of Thomas Henderson: "No citizen succeeded in conciliating the warm regards of a greater number of personal friends than he." Speaking of *The Star* files for the year 1811, Governor Swain said: "There is not during the year a single unkind editorial remark . . . not even a discourteous allusion to any one of the editors of *The Register* and *Minerva.*" David L. Swain, *Early Times in Raleigh* (Raleigh, 1867), pp. 11, 13.

[149] *Laws of the State of North Carolina,* 1815, p. 10.

[150] One *Report of the Treasurer,* 1809/1810, published as a broadside, is in the University of North Carolina Library. Several special reports were issued as separates. See comptroller's *Statement,* 1801-1805, 1811, 1812, is appended to *Laws,* 1802, 1803, 1804, 1805, 1806, 1812, 1813.

Davis. In addition to a compilation of English laws in force in North Carolina, published in 1792,[151] he published a supplement to Iredell's revisal in 1795,[152] a collection of North Carolina private acts in 1794,[153] a compilation of North Carolina superior court reports in 1797,[154] and with his partner, Ogden, another volume of superior court reports in 1802.[155] In 1803 the assembly passed an act "to encourage François X. Martin to publish a revisal of certain Acts of Assembly," in which he was given the right for five years of "printing and vending" a revisal of the public acts from 1790 to end of that session.[156] In addition to these volumes Martin published several law books of the popular type designated as guides to justices of the peace, sheriffs, coroners, and executors. One of these, *A Treatise on the Powers and Duties of Executors and Administrators According to the Law of North Carolina,* was reprinted by Joseph Gales in 1820. Three others were reprinted by John C. Sims in New Bern in 1806.

William Boylan was another publisher of documents of a public nature when not holding the office of public printer. In 1805 he published *A Collection of the Militia Laws in Force in North Carolina,* a pamphlet of twenty-eight pages. Boylan also published a second[157] and third[158] edition of Judge John Haywood's *The Duty and Office of Justices of Peace.*

Important compilations of laws and court reports published during this period by the public printer were: a volume of superior court cases, published by Abraham Hodge in 1799;[159] the Iredell Revisal, with its various supplements,[160] also printed by Hodge; two volumes of court reports, printed by Joseph Gales, the first while in office,[161] the other during the term of

---

[151] *A Collection of the Statutes of the Parliament of England in Force in the State of North Carolina* (New Bern, 1792).

[152] *The Acts of the General Assembly of the State of North Carolina* (New Bern, 1795).

[153] *A Collection of the Private Acts of the General Assembly of the State of North Carolina, from the Year 1715, to the Year 1790, Inclusive, Now in Force and Use* (New Bern, 1794).

[154] *Notes of a Few Decisions in the Superior Courts of North Carolina, and in the Circuit Court of the U. States, for North-Carolina District, to Which is Added A Translation of Latch's Cases* (New Bern, 1797).

[155] John Louis Taylor, *Cases Determined in the Superior Courts of Law and Equity of the State of North-Carolina* (New Bern, Martin & Ogden, 1802).

[156] *Laws of North Carolina,* 1803, pp. 33-34, authorized by the assembly of 1804; *Laws of North Carolina,* 1804, p. 1. The revisal is entitled: *Public Acts of the General Assembly of North Carolina,* the first volume containing acts from 1715 to 1790, the second, acts from 1790 to 1803. Another edition, with appendix containing the acts, 1804-1806, was published in 1806.

[157] Raleigh, 1808.

[158] Raleigh, 1816.

[159] *Reports of Cases Adjudged in the Superior Courts of Law and Equity of North-Carolina* (Halifax, 1799). The second volume containing cases, 1797-1806, was printed by William Boylan in 1806.

[160] See above, p. 194.

[161] *Reports of Cases Ruled and Determined by the Court of Conference of North-Carolina,* by Duncan Cameron and William Norwood (Raleigh, 1805).

Thomas Henderson.[162] Gales also printed four editions of Judge John Haywood's *A Manual of the Laws of North-Carolina.*[163] The second edition bears the imprint "Printed and Sold by J. Gales and W. Boylan." Evidently the rivals for political office were not averse to a business partnership when it seemed profitable.

Official publications of the period from 1782 to 1815 may be classified as follows: laws, 52; journals of assembly, 65; constitutional journals and documents, 7; financial, 3; military, 4; public works, 2; university, 5; courts, 10; governor, 1; revisals, 6; popular laws books, 14.[164]

---

[162] *The Carolina Law Repository* (Raleigh, 1814-1816).

[163] Published in Raleigh, 1801, 1808, 1814, 1819, and a reprint of the 1819 edition, with an appendix for 1818-1828, in 1828.

[164] Counted as documents are publications containing official material, as well as those financed by the state. Titles are counted in McMurtrie, *Eighteenth Century North Carolina Imprints*, and in Mary L. Thornton, North Carolina Official Publications, 1749-1939 (MS in University of North Carolina library, Chapel Hill), including only those which have been located in libraries.

THE CORRESPONDENCE OF THOMAS HUGHES CONCERNING HIS TENNESSEE RUGBY

Edited by

MARGUERITE B. HAMER

In an earlier number of this publication, a detailed version of the Rugby venture portended to trace the rise and collapse of the little utopian colony.[1] In that paper the following hitherto unpublished letters had been drawn on more or less extensively. Here, for the first time, the letters appear in their pristine state ready to speak for themselves across the intervening half century.

Thomas Hughes owed his reputation largely to his publications. *School Days at Rugby, By an Old Boy,* and *Tom Brown at Oxford.* These classics have run through many editions since their advent in the sixties. Even as late as 1932 new copies continued to appear. Hughes retained to his last days an interest in English youth of the more opulent classes. For them he launched in the eighties an ideal community in the wooded mountain country of Tennessee. The site was that part of the Cumberland Plateau that is in our day noted as the home of Alvin York of World War I fame and of Secretary of State Cordell Hull of the Franklin D. Roosevelt administrations. In this forest country transported English youth were to be apprenticed to farmers to learn the business of agriculture and so escape the tedium of English Will Wimble lives.

In the autumn of 1880 Hughes set out for America to project his dream. His arrival on our shores was the occasion for invitations to address universities and colleges, schools, clubs, and literary and humanitarian societies of sorts from Canada to Georgia.[2] Cornell University despatched an invitation on behalf of its "social science club." Haverford College wished Hughes to lecture before their "seventy students, mostly from the wealthier class of 'Friends' or Quakers—an interesting body of young men." The letter concluded: "It is a happy thing that great public teachers in our English race are more and more finding

[1] *The North Carolina Historical Review,* V (1928), 390-412.

[2] In parliament Hughes had distinguished himself as an advocate of socialistic schemes for the betterment of the middle and lower classes. His American Rugby, however, was to supply a happy solution to the problems of young idlers of the elite classes.

and using a field for their service both by pen and speech on both sides of the Atlantic and we owe you many thanks for your willingness to let your voice be heeded amongst us in the advocacy of things noble, good and true." A later communication from Haverford added: "I think we shall prefer to hear your lecture on 'The Song of Roland,' a delightful subject."

The principal of the Rugby Academy for Boys,[3] Wilmington, Delaware, wrote:

"Permit me on behalf of the Rugby boys of Wilmington, Delaware, to welcome you as the author of the best book ever written for boys. . . . I do hope you can find it convenient to deliver a lecture under the auspices of the Rugby Literary Society in the Grand Opera House of our city."

Across this request appears in Hughes's hand the word, "declined."

Other groups and other individuals sought the lionized one as the following letters indicate.

Aug. 23, 1880
Long Branch, N.J.[4]

My dear Mr. Hughes -

I have just learned of your arrival in N. Y. and I should like to have you make us a visit at Long Branch on Friday or Saturday of this week and remain a few days. We shall be glad to welcome you to Philadelphia when you return East, as we hope then to be back to town.

Mrs. Childs unites in hoping your engagements will allow you to visit us at Long Branch.

With high esteem
Sincerely yours,
Geo. W. Childs.

Whitelaw Reid, speaking for the Lotus Club, urged the English author to attend "a big dinner of 120 plates." The invitation concluded:

Although all public dinners are a bore . . . you will not find this too fatiguing.

The Cincinnati Southern Railroad, "the Queen and Crescent,"[5] placed a special car at the disposal of the English visitor to enable him to "attend the opening of the Cincinnati Exposition."

---

[3] The name of this school reflects, of course, the popularity of Hughes's books on this side of the Atlantic.

[4] Long Branch had enjoyed a social prestige enhanced on occasion by the visits there of President Grant and his socialite family.

[5] Cincinnati, the "Queen of the West," and New Orleans were optimistically referred to as terminal points within access of the projected Rugby—a prospective rival. Actually Rugby missed the railway by some seven cruel miles of rugged mountain terrain; too, in a day that knew not the tin horse of Detroit.

From Rome, Georgia, came this ambitious plea to Hughes:

Can you not visit our beautiful and promising city. I would like to . . . tell you something of our rich mineral wealth. . . .[6] I want to start a town and colony on these lands. Can you give me any information on how to proceed? I want Englishmen.[7]

The following invitation came from St. Paul, Minnesota.

Thomas Hughes
Dear Sir.

. . . I am exceedingly interested in your colonial project in Tennessee, and as we in Minnesota are eager to attract hither a desirable class of British Emigrants, it has awakened the desire to have you look over our state and see for yourself what its resources are and acquaint yourself with its progress and the inducements it offers to those Engaged in Agricultural pursuits.

The wide range of Hughes's interests is reflected in the following letters as in this one from Julia Ward Howe.

The American Association for the Advancement of Science holds its annual session in Boston. . . . Would you not enjoy a trip up to Boston to attend the day's meeting? The trains are very convenient.

Another communication from Boston reads:

Thos. Hughes, Esq.
At Robbins, Scott Co. Tenn.
Dear Sir

I wish on behalf of the Woman Suffrage Association of this city to ask you to deliver a lecture . . . on your Tennessee Enterprise. Some of our leading members such as Julia Ward Howe, Mrs. Mary A. Livermore, and Mrs. Lucy Stone you doubtless know by reputation. . . . We would offer you $100.

The offer notwithstanding, the word "impossible" appears in Hughes's hand across the letter.

From Chicago, Hughes received this invitation that is quoted in part:

Yesterday, meeting the ex-president of our *Chicago Literary Club*, he exclaimed, "Do you know that Thomas Hughes is in America, we *must* get him out here! Why, do you know it was he to whom we owe the foundation of our free Public Library?"[8] and he straightway went on to tell me his plans for a little entertainment to be given to you by

---

[6] A belated survival of the seventeenth century lure of gold and silver. Georgia's pride in her gold lands was partly responsible for the ruthless evacuation from her soil of the poor Red Man.

[7] British and especially Englishmen were the settlers preferred. Regions in the Middle West from North to South vied with one another to secure coveted settlers.

[8] After the Chicago fire Hughes contributed generously toward the foundation of a new public library. Years later, when American publishing firms mailed thousands of books to Rugby, Chicago was conspicuous among the non-contributors.

our Literary Club. . . . I have the church[9] that D. Laird Collier used to have.

Later came this daring offer:

Clifton, Cincinnati
Sep. 14, 1880.

Thos. Hughes, Esq.

Dear Sir

. . . I beg leave to transmit you a formal invitation to lecture at Pike's Hall on any Sunday afternoon. The lecture fee will be $75., the largest we have yet paid.

This fee was bettered by "100 and up" by the more generous Ridpath Lyceum Bureau of Boston. An invitation from The Penn Club, 720 Locust Street, Philadelphia, met with this reply from Hughes. "Sorry not to be able to accept. Time more than filled up already."

From New York came this cordial note:

The Christian Union would be glad of permission to invite a few gentlemen of this city and vicinity — leading educators and others to meet you socially. . . . The Christian Union is recognized as in some sense a representative of the ideas which you are endeavoring to embody in a practical organization. . . .

Very respectfully
Your obed't Servant
Lyman Abbott

From Philadelphia came this lengthy letter:

Phila. Society for Organizing Charity[10]
1429 Market St.
Phila. Aug. 23, 1880.

Thomas Hughes, Esq. M.P.
Fifth Avenue Hotel, N.Y.C.

My dear Sir,

This society (which is modeled after the pattern of your own London Charity-Society) desires to extend a cordial welcome to our shores to one who has devoted himself . . . to practical schemes for improving the condition of Working Men; and it is in warm sympathy with your efforts to promote co:operative[11] measures among them that I have been instructed to ask you to visit this city before you return Home; and to address our

[9] Concrete, mute testimony to Hughes's love of the Anglican Church is the little English church still gracing a quiet wooded street of Rugby, Tennessee.

[10] The welfare of his fellow man of high or low degree engaged the pen of Hughes with never ceasing fervor.

[11] "Cooperation" was a topic familiar to the lecture platform of the eighties. Harriet Ward Beecher used to say, "It's the one case in which you have your cake and eat it too." The cooperative store at Rugby sold shares to its customers and thus allowed them to participate pro rata in the profits.

Society upon the results of your study and experience in this department of benevolent work.

Your kind compliance would . . . aid our infant efforts . . . and would inure to the material benefit of the Working-Man of this the largest manufacturing city of the Continent, a vast majority of whom are natives and sons of natives of G. B. and thus have a strong claim upon your active interest. . . .

Chas. D. Kellogg.

In Parliament and out of Parliament the Hughes favorite theme being cooperation, the Cooperative Board of 291 Broadway, New York, was favored by an address. Hughes expounded on this theme at length to his business partner, Franklin W. Smith:

It is not our business to make money out of trade and if we can see our way to nothing better than a store of the Board,[12] I think the sooner we can choose it the better . . . I myself (and I think I may here speak for both my colleagues and for most if not all the English subscribers) are strongly impressed with the evils of the present system of ordinary competitive trade. . . . No person or class of persons should have a monopoly of the trade as to which the true principle that every consumer should reap the profit of his own purchases should be kept in view. . . . We propose to convert the present temporary store and the Board into a cooperative society composed of every dweller in or near the town who cares to become a member of it. . . . I propose to bring out with me the rules and methods of business of our cooperative union and hope to convert our temporary store into a society embracing all residents during my stay on the Plateau.

Characteristic of Hughes was the determination to open a colony with solemn ceremonial exercises. "If possible," he wrote, "we ought to have a temporary church up as well as an hotel before that day so that we may have a short service amongst the other functions."

Charles Todd Quintard of Sewanee was to officiate in his capacity as Bishop of Tennessee. He confided his views to Hughes:

Under all circumstances it will be best to have a brief and simple service on 5. of Oct. If you wish it, I will conduct the service but in place of a discourse, I think you must give an address as to the intentions of the founders of the colony.

We can get along very well without the choir boys and I shall not object to a "big barn" if it is big enough. . . . Let me beg you to have the church organized at Rugby from the very first. In this land — in Colonial days — Mother Church dealt out hard and severe measures to her children. Every sect and denomination was perfectly organized and in full working order before our pure branch of the Church of Christ.

[12] The Board of Aid to Land Ownership which controlled Rugby enterprises.

I shall leave home [Sewanee] on Monday evening 4th Oct. and proceed by first train from Chattanooga to Rugby. I pray God's blessing on you and your undertaking. I am yours in the best of bonds.

Following the advice of the bishop, Hughes gave on the opening day a full and delightful explanation of the intentions of the founders. Whitelaw Reid of the New York *Tribune* penned these congratulatory words: "What an admirable little speech you made the other day at your opening. I am afraid it suffered a little at the hands of the telegraph operators but still even through their disguises it shone as a beautiful piece of work."

Having launched his colony and made innumerable addresses, Hughes retired to visit Goldwin Smith in Canada. From The Grange, Toronto, he wrote to his beloved brother:

Dear Hastings

. . . All that you say of affairs looks well, but no doubt you will have a hard job and one requiring much thought and care and patience. Don't express yourself strongly to folk (specially in the time of disagreement or censure) but act strongly. . . .

Take care to keep an eye on finances — I *hope* to send you supplies from N. York but possibly it may not be any large amount. . . .

Think over the whole situation and advise pretty fully. . . . I think the thing ought to go well with the start it has had. . . . We had a high old time in Chicago.

Affly yrs.

Tho. Hughes.

The next communication finds Hughes on the high seas:

Germanic
Nov. 15, 1880.

Dear Hastings

We are to be in Queenstown to night so I send this at once. . . . We have had a very good passage and much interest all around as to Rugby. I quite think that we have got the game in our hands now only it must be played very cautiously, and above all things, my dear fellow, don't shock people — keep to beaten ruts and common-places. We can build up a community such as we want to see far more surely by showing everyone that we are jog trot every day folk, who want to go on just as like their neighbors as possible consistently with their cooperative ideas, which they don't want to force on unwilling folk but just to let grow quietly.

I hope to see Mother.[13]

Ever aff'ly yrs.

Thº Hughes.

[13] Margaret Hughes who, despite her ninety years, came out to her son's colony and lived in Uffington House.

The late summer and autumn of 1880 saw the desk of Hastings Hughes snowed under with applications such as the following from prospective settlers:

10 Aden Terrace
Green Lane
London
7. Oct. '80.

Th. Hughes
'Rugby'
Junction of Clear Fish & White Oak
USA.

Will you kindly send me a prospectus of your new land scheme which is now exciting great interest in this country.

New Orleans,
Sep. 10, 1880.

My dear Bishop Quintard

By kindness of the Rev. Mr. Kramer I am permitted to ask you to obtain some information for me regarding an English colony just established somewhere in the Plateau of the Cumberland Mts. of Tennessee. . . .

I am attracted to the place because it is established by a man who has the reputation of being a clear-headed philanthropist — and because I am desirous of removing my family to a more bracing climate than New Orleans and where I can found a homestead for them.

151 Fulton St.
Pittsburg, Pa.
Aug. 22, 1880.

Mr. Thomas Hughes

. . . .

Dear Sir.

I, the undersigned, clergyman, physician, and schoolmaster born and educated in the British Island of Antigua,[14] and having a family to bring up, am desirous of emigrating into Tennessee and would be pleased if you would admit myself and family among the no. of your tenantry, subjected to all of your regulations. . . .

Yours in the Church
Wm. F. Floyd, M.D.
Priest in the Prot. Epis. Church.

Oct. 31, 1880
Constantinople

To the Author of *Tom Brown's School Days*

". . . I see by an extract from an English paper that you have founded a 'new Rugby'.

[14] Although this Caribbean Island is the home of a fantastic number of religious sects, yet the Anglican Church and other English institutions dominate even among the blacks.

I am one of those rolling stones . . . which begin to feel that a covering of moss would be acceptable, i.e., I ask myself (my age is 26½) if I cannot some day look forward to having a home of my own. . . .

Innumerable letters came from "remittance men:"[15]

Dec. 23, '80

Dear Hastings,

Please give all the advice and assistance he may need to bearer, Mr. Hodgkinson, who proposes to start for Rugby early in the new year. His father is a friend of our Mr. Russell Sturgis, father of the Boston Shareholders, and he himself seems just the kind of settler we hope for.

Yours aff'ly

Th. Hughes

Board of Aid to Land Owners, Ltd.[16]
57 Moorgate St.
London, May 19, 1881.

Dear Hastings -

The bearer, Mr. Briggs has excellent introductions to me and I think means work and will be a good permanent settler if he gets on well.

His father will give him some capital.[17] to buy land and start when he feels competent. Meantime please put him with . . . the best settler you can find to take him as boarder and pupil.

Aff'ly yrs

Thº Hughes.

Margate
Apr. 22, 1881.

Dear Hastings

I think I must have already mentioned to you the bearer, Mr. Stevenson, who goes to Rugby to be with you or some settler as pupil and boarder with a view to settling.

Please do what you can to put him in the way of making a good start.

Ever aff'y yours,

Th. Hughes.

---

[15] In 1939 while visiting South Africa I met several of these young "Honourables" endeavoring to reach England before the outbreak of war. In 1880 they may have represented the same type: attractive, polished, young aristocrats depending for a living on the remittance furnished them from the estate "at home."

[16] This Board composed for the most part of Englishmen maintained an office in Rugby and sold lands to prospective settlers.

[17] Such dependence upon the family purse would tend to destroy a youth's initiative. Incidentally, note the exceptional type of immigrant that Hughes encouraged.

Athenaeum Club
Pall Mall
23/12/80

Dear Hastings.

The bearer, Mr. Howard Startin, is the son of Mr. G. Startin of G. Startin & Co. of 160 Fenchurch St., a highly respected city firm. His father wishes to place him with one of the Rugby settlers with whom he is most likely to learn his business best as a settler. He will pay 50 pounds to the settler who takes him, so (unless you can do it yourself, which will be best) please select a man and make an arrangement for him . . . in finding his legs in his new home.

Ever affly yours

Th. Hughes.

Sir E. Strackhey, Sir Lesley Probyn, and many another sent sons to Rugby. One at least of these young men remained for more than fifty years successfully farming in Rugby, but a typhoid epidemic early in the colony's history carried off all too many of its promising young Englishmen. This was only one of the many misfortunes that beset the Rugby venture.

Many of the letters of the year 1881 reflect a pessimistic strain that was destined to assume alarming but justifiable proportions.

80 Park Street
Apr. 5, 1881.

Dear Hastings

. . . I tell all applicants now that we cannot promise work of any kind and that I recommend no youngster to go who cannot see his way to paying from 50 to 70 pounds for a year's board, lodging and teaching.

Bois Rectory
Chesham
April 18, 1881

. . . Though no hope is held out of your being able to find him (my son) employment, I feel persuaded that you will do what you can for him — especially in helping him to find an honest and if possible godly family to board with.

Yours faithful,

Jos. Mathews.

Chillingworth
Torquay
Apr. 23, 1881.

W. H. Hughes, Esq.

Dear Sir.

Your Brother, Mr. Thomas Hughes told me that I might count upon your kind advice and assistance in furthering the interests of my son, Graham Egerton at Rugby. I have just heard from him of his arrival and am sorry to find that Mr. Wallace (to whom understand your Brother wrote to receive him as a boarder and to learn his work) was unable to receive him and owing to your accidental absence at the time he was unable to apply for your assistance to place him elsewhere and has gone to the Hotel. He asks me to send him 100 dollars to enable him to buy a bit of ground and build a shanty but I feel doubtful whether it will be judicious to do this at first and fear that he may find it impossible to live in a place by himself and that he had better adhere to our original plan which was that he should board with some gentleman who has land and learn his work, with a view to eventually purchasing a farm. Under these circumstances I venture to forward to you the endorsed 100 dollar note and to request the favour of your judgment in the mode of employing it . . . I will be answerable for I-L one pound sterling a week for him for the next year or two years if necessary and in about a year's time I hope to run out and see how he is getting on, and if desirable purchase a farm from your company. He tells me he is earning a dollar a day, but does not say how—clearing, I suppose.

Yrs. faithfully

Philip Egerton.

Many notables came to Rugby in its brief heyday to be housed at The Tabard Inn. Among the guests were Richard T. Ely,[18] Charles A. Dana, Lord Kimber, Dr. Agnew.

Although only a pioneer town carved out of a wilderness but a few brief weeks before, little Rugby could boast of a library of 6,000 volumes, contributed by publishers and libraries. William F. Poole wrote from the Public Library, Chicago:

W. Hastings Hughes, Esq.

Dr. Sir:

. . . You state that you are beginning at Rugby to collect your Public Library and you ask for such contributions of American books from this Library as we can spare. We should be most happy to make such a contribution but unfortunately the Library has no duplicate American books which it can spare. We think, however, that we can do something which will more fully express our interest in your new enterprise at Rugby. . . . We with other citizens of Chicago would like to make a contribution of

[18] Ely was especially attracted by the novel land scheme employed at Rugby.

American books to your Library as a slight acknowledgment of the great service which your brother, Mr. Thomas Hughes, rendered to this city in contributing to the foundation of the Chicago Public Library.

The library, a church, a social club, the tennis club were destined to be the few ventures that succeeded in Rugby. More strenuous activities such as agriculture, canning, pottery were doomed to failure. "Mentor" of Dayton, Tennessee, in an open letter to Thomas Hughes attempted an explanation: "I am sure your Cumberland Plateau land is not good. . . . Your inexperienced English colonists will fail on account of the poverty of the soil whereas they would have succeeded if you had been careful to have selected a good location."

His statements are given the lie by the conspicuous agricultural achievements of the present farmer in Uffington House.

Financial difficulties followed hard upon agricultural failure. Thomas Hughes penned this sad note to Hastings.

. . . the funds of the company immediately available are practically exhausted—unless indeed, as I hope, I manage to get a no. of new subscribers in Boston or N. Y.

By the end of 1882 failure stared the colony in the face. From Paris, Franklin W. Smith wrote to a Rugby friend and collaborator:

One full authoritative publication, correcting the scandals set afloat by Mr. Hughes's political opponents in England, and the rowdies who came to Rugby to carouse[19] for a living, tactfully used would put Rugby upon a new start. . . .

I wrote to Mr. Boyle that to spend nothing in advertisement of such an estate as Rugby in the U. S. to let it remain dying—dead—in order to reduce expenses to the 'uttermost' is like stopping all food from a fine horse for rigid economy. . . . If you could occasionally prepare such a paper as the above and send it as a slip to the *Boston Advertiser*, the *Transcript*, *Herald* . . . *the Baltimore American*—I think you would redeem the reputation of Rugby.

Mr. Kimber is on his way to you via Australia and I trust you will press these newspapers upon him not only in justice to Mr. Hughes and other original subscribers but to their own interests.

D. V. I shall be home[20] about Nov. 11 (1882) in Boston and at the first opportunity shall call a meeting of the Boston subscribers to show them the small amount of money advanced by the mortgages with the large assets for security and the chance of foreclosure.

---

[19] Legally Rugby was bone-dry but other localities in the Plateau were not of like view.

[20] The letter is mailed from Paris. It was unfortunate for Rugby that so many of its founders, organizers, and leaders were abroad when the colony most needed their advice. At one time they were scattered as far apart as England, Australia, and South Africa.

A decade passed. To a faithful Rugbeian, Dr. Agnew, Hughes wrote this last sad letter:

Uffington House
Chester
7-12-(91?)

My dear Doctor:

I was on the point of writing to you . . . for the statement of accounts from the office in view of the transfer of all my Rugby property to the new company. . . . As I read the accounts there is a balance in my favour of $321 up to August last. . . . If I am right I propose that we sh^d divide it equally. . . .

Your reports of the School, Church and Library are on the whole cheering, and quite as hopeful as I had looked for. I can't help feeling and believing that good seed was sown when Rugby was founded and that some day the reapers . . . will come along . . . bearing heavy sheaves with them. Whether I shall live to see it may be doubtful as I am nearing the psalmist limit of three score and ten, or whether I shall be able to get out again much as I should like to do so. . . . However, whether I can ever come again or not, you I know, my dear friend, will always feel how truly my heart is with you in the famous fight you are making to plant a righteous and prosperous colony in those fascinating mountains.

POET, PAINTER, AND INVENTOR: SOME LETTERS BY JAMES MATHEWES LEGARE, 1823-1859

Edited by

CURTIS CARROLL DAVIS

Southern Literature, which abounds in "versifiers," can ill afford to overlook a poet—one with a genuine gift for clear-cut and musical song. Yet to all intents and purposes Southern Literature has overlooked James Mathewes Legaré in that, ever since the publication almost a century ago of his slender, single volume of verse, it has forgotten all about him. This is a pity, since, for quantity alone, Legaré sent to various magazines later in life almost as many pieces again as had originally appeared in his *Orta-Undis, and Other Poems.*[1] None of these later poems has ever been re-published. A collected edition of his works has never appeared. Even Legaré's family background, his personal career, and the place of his death have been blanketed by obscurity. Insufficient knowledge alone, however, is not enough to warrant the revival of a man's work if that work is inferior. Legaré's verse is not inferior. In the opinion of the writer, this Charlestonian has published enough good lines of poetry to place him below only Poe, Lanier, and Timrod in the history of Southern verse.

It is time to revive Legaré's work.[2] No better method of presenting the poet to a new and later public can be found than through the publication of the following MS. letters in his hand, all but one of which have not seen print before. The letters tell a varied tale and present us with a rather colorful portrait of the young Carolinian as not only a poet but also an artist in oils and a practical inventor, two of whose creations were accepted by the United States Patent Office.

The writer was born in Charleston, November 26, 1823, of Huguenot ancestry, the elder son of John D. Legaré and a Mathewes of the old colonial family of that name. A distant

[1] Boston: Ticknor and Fields, 1848.

[2] The present writer has in progress a life-and-works of the poet which is approximately half complete. *Winging to the Sun: The Career and the Poetry of James Mathewes Legaré* must remain unfinished through the duration of the war.

cousin of Hugh Swinton Legaré (1797-1843), the poet came of established Carolina houses on both sides. He had a younger brother, Joseph John Legaré (1828-Dec. 6, 1901), and a sister Frances Doughty Legaré (*d.* Dec. 28, 1897), both of whom are buried in Magnolia Cemetery, Charleston.[3] It is quite possible, moreover, that the poet's father was the same J. D. Legaré who figured prominently in ante-bellum Charleston as the editor of the *Southern Agriculturist* from 1828 to 1834.[4] Such a fact might serve in part to explain the poet's highly practical turn, and his interest in textiles and in scientific matters generally, an interest which culminated in his receiving, about 1853, the gold medal for invention at the annual exhibition of the South Carolina Industrial Institute.[5]

As a youth Legaré attended the Grammar and English schools of the College of Charleston until 1832,[6] during part of which time he was a school-mate of the future soldier and statesman John Charles Frémont (1813-1890), and subsequently enrolled at the College itself. Though he did not graduate, he remained at the institution until 1842.[7] There then followed a brief period of legal apprenticeship, which the young man did not savor, until, about 1847 or perhaps earlier, he was forced by ill health to travel to Aiken. There in Aiken, with occasional trips to Charleston and a few times to the North, the poet resided, a bit unwillingly, for the rest of his short life. He had married, probably rather early in his career, a Miss Andrews of Augusta, Georgia, whom he adored and for whom several of his poems were composed. Their small home, which the writer nicknamed "Turtle-Dovey," still stands in Aiken, at 719 Laurens Street (now the Thomas R. Morgan house, and appreciably enlarged). Though he did not mix to a great extent with the townspeople, Legaré was an officer in the St. Thaddeus Episcopal Church at Aiken; and in the St. Thaddeus cemetery, beneath a monument erected only in February, 1942, he lies buried.[8] Like Lanier and

---

[3] For this information I am gratefully indebted to Mrs. Ernest W. King, of "Hillsborough," near Charleston, S. C.

[4] William Stanley Hoole, *A Check-List and Finding-List of Charleston Periodicals, 1732-1864*, pp. 30-1.

[5] *DeBow's Review*, XXV, 215-216 (August, 1858). The article is a reprint of one in the Charleston *Courier*, c. June 10, 1858, by an unspecified person.

[6] J. Harold Easterby, *A History of the College of Charleston*, p. 282.

[7] Easterby, *A History of the College of Charleston*, p. 309.

[8] This worthy accomplishment was the result of the tireless efforts and enthusiasm of Miss Elizabeth C. Teague, of Aiken, Librarian of Aiken High School. In 1921 Miss Teague formed the Legaré Literary Society, composed of students at the High School; and the pennies of these children, saved through the years, have at last resulted in the erection of a suitable monument to the poet. See the Aiken *Standard and Review*, Friday, February 13, 1942, p. 5. This article also includes a brief sketch of the poet's life made by Miss Catherine Morgan, the present owner of the poet's one-time home.

Timrod, Legaré died of consumption—on Monday evening, May 30, 1859, in the thirty-sixth year of his age.

The poet's rather saddening saga, as revealed in the letters that follow, is all too typical of the careers of Southern literary men both before and after the Civil War. Hence is it all the more gratifying, when such recognition is clearly deserved, to grant posthumously to certain of these literary men the admiration that was not theirs in life.

1

TO J. C. SPENCER[9]

Charleston. February 16, 1844.

[A brief note of introduction, presenting J. Berwick Legaré (1794-1850), "A relative and particular friend" of the poet. 1 page.]

2

TO CAREY AND HART, PUBLISHERS[10]

Charleston. May 19, 1845.

[Submitting a manuscript for consideration, presumably *Orta-Undis, and Other Poems* (Boston: Ticknor and Fields, 1848). "My proposal is simply that you accept the volume, and publish it at your own cost, and consequently, risk: To any profit resulting I am indifferent, as my desire is chiefly to thus obtain an acceptable offering to the sister, (an only one) to whom I have dedicated the work. A *few* of the articles have been published in magazines, before. The title (I need not mention) is merely '*Belonging to the muse of verse*' (*Erato.*)." 1 page.]

3

TO RUFUS WILMOT GRISWOLD[11]

New York City. [June, 1845?]

[Although "It is rather late in season to visit N. York," nevertheless he has made the journey from Aiken. Is having difficulty reducing a manuscript volume to a size suitable for publication. ". . . and after all, it is with only a third of this book completed, that I propose waiting upon a publisher." Hopes to meet Griswold personally. 1 page.]

---

[9] In the Historical Society of Pennsylvania, Philadelphia.

[10] In the Griswold Collection, Boston Public Library. The Legaré letters in this library were uncovered as the result of a suggestion made by Professor Jay B. Hubbell of Duke University.

[11] In the Griswold Collection, Boston Public Library. Letter No. 4 is printed in full in R. W. Griswold, *Correspondence,* edited by W. M. Griswold (Cambridge, 1898), p. 230.

4

TO THOMAS POWELL[12]

Aiken. November 16, 1849.

My dear Sir

A fresh masterly book — picked up at random in a bookstore, and in the end carried home with the almost boyish delight I confess to, in making any addition to the limited number of my 'pet-books on their exclusive shelf — is not an everyday occurrence; and if your 'Edith'[13] touched me happily some months back, I was scarcely prepared for a capture of heart and judgment so entire, as that brought about by the "Living Authors"[14] two days since in Augusta. If I were to tell you how pleasant, brilliant, and critically accurate, I account the vol, I would be likely to fall as far in your esteem, as I would be well pleased to be lifted: for my admiration of a work of more than talent commonly outrages stolid 'popular opinion', and I have that quick perception of the presence of genius — there is surely no egotism in saying so, for it is God's gift, no doing of mine — which is the 'sesame' to the secret cave wherein lie the chief riches of literature. In your warm regard for Miss Barrett (rather, Mrs. Bowning), analysis of Thackeray's cold sneers,[15] and light valuation of Henry Taylor's drudgery I find my longwhile opinions upheld; and that with the more pleasure, because it is seldom indeed, I meet one willing to subscribe to any two of the many sentiments we hold in common. As for the last named author, he is at least just, and makes his damsels as little capable of loving fervently as his hero, the 'master of a summer's night!' Don't you recollect where (in Philip V. Artevelde),[16] Clara 'wishes for her part she had a lover'. 'You' says Adriana — 'Why there's Sir Walter!' 'Sir Walter — very good,' returns the pining Clara, '*But he's at Bruges — I want one here.*'

But I forget myself — that I stand chatting familiarly with you, before you know me even so much as by name — and that I have a letter of introduction to present from one of the Muses, a letter of introduction so badly written, it is true, that you may reasonably doubt it's [*sic*] being the sole composition of the lady in question. Jesting apart, I can find no readier plea for addressing you so abruptly and expressing a thorough appreciation of your views (as I feel impelled to do, after a free and easy fashion natural enough to a citizen of our 'Great Republic') than in assuming this note to be written with the single end of begging your acceptance of the small vol (of my poems) I will forward by the same mail. There is no affectation in the light regard in which this use of it, evinces I hold my own work, for no one can be more sensible of its demerits. With the exception of scarce three poems I am ashamed of the contents already,

---

[12] In the Boston Public Library. Powell (1809-1887) was an English-born journalist and hack-writer who came to the United States in 1849. He resided in New York City, where he was among the Bohemian frequenters of Pfaff's restaurant.

[13] Powell's moralising narrative poem, "The Prayer of Edith," appeared in the New York *Literary World,* IV, 529-530 (June 23, 1849).

[14] Powell's *The Living Authors of England* (New York, 1849) gained considerable popularity as a readable, "candid" discussion of the leading English literary lights of the day.

[15] This phrase is remarkable in that it is the only recorded passage wherein Legaré has aught but praise for W. M. Thackeray. In the poet's own prose tales, the influence of the English novelist is outstanding.

[16] *Philip van Artevelde* (1834) was a blank-verse historical drama, of the closet variety, by the English poet and government official, Sir Henry Taylor (1800-1886).

although it has been out little more than eighteen months or so.[17] The very lenity with which the critics generally handled it, as not worth analysing, quickly convinced me of the incapacity of the book to obtain a foothold in the world of letters.[18] Poor Poe, I at least had no reason to mingle a weak sense of relief from danger, with my heartfelt regret for his death; for there was no likelihood of his ever pouncing upon my unlucky bit of Latinity.[19] 'Leo tacet.'[20]

I *think* I have written and published, since the issue of the vol., far better poems than any in it; the two best (perhaps) appearing in a Southern periodical[21] not likely to have fallen under your eyes. And as a counterpoise to the dissatisfaction with which I regard my former trials, — I hope, by God's grace, to live long enough to have a name worth owning: for as I never paint[22] without an inclination to thrust my canvass [*sic*] through with the malstick, when it comes to finishing the painting, from sheer inability to embody what is as clear as day in my brain, so I am nearly as seldom satisfied with the success of my pen. And it seems to me, if I were incapable of better things *to come*, I would stupidly consider nothing so excellent as what I have already done. After all, it is more consistent to write, as Mr Greenough does (did),[23] 'faciebat' than 'fecit' on one's work. But quite enough of myself — yet stay, lest you should slightly mistake me, let me add a dozen words in this connexion. I am aware of course of your American Volume, designed to follow that referred to above[24]; but if I did not believe the book to be already in press, or possibly already issued, I would with common delicacy , shrink from apparently forcing myself upon your notice. I was strongly tempted to question Mr Duycinck[25] [*sic*] in regard to yourself and your poems, when one or two of the latter appeared in the 'Literary World'[26]; but I was unwilling to risk the construction which might naturally enough attach to my praises *then*.

---

[17] The poet's only published volume of verse, *Orta-Undis and Other Poems* (Boston: Ticknor and Fields, 1848), appeared in early May.

[18] Legaré was too easily dashed. Of the eight reviews of *Orta-Undis* all but one were favorable; and this exception, that in the *Christian Examiner,* at its severest only echoed the consensus of opinion concerning the poet: that he showed much promise in this first venture, but that he must not rest on his laurels since far better verse was to be expected of him. In the order of their appearance, the reviews were as follows: *Literary World,* III, 283 (May 13, 1838); *Holden's Dollar Magazine,* I, 375-376 (June, 1848); *Southern Literary Messenger,* XIV, 388-389 (June, 1848); *Knickerbocker,* XXXII, 179 (August, 1848); *DeBow's Review,* VI, 159-160 (August, 1848); *Southern Literary Gazette,* I, 127 (August 26, 1848); *Christian Examiner,* XLV, 306 (September, 1848); *Southern Quarterly Review,* XVI, 224-232 (October, 1849).

[19] Legaré refers to this title-poem, "Orta-Undis" ("Sprung from Water"), which he placed last in the volume. Three others of his poems bear Latin titles while two of them contain passages in Latin. Two of his poems bear Greek titles. Hence the classical influence on at least this one Southern poet would seem to bear out the thesis that the literature of Greece and Rome were of appreciable importance in the culture of ante-bellum Dixie.

[20] Latin for "the lion is silent."

[21] Legaré probably refers to the *Southern Literary Messenger* (Richmond, 1834-1864), which between the years 1847 and 1856 published eight of his poems, half of which he reprinted in *Orta-Undis.* The *Messenger* printed far more of Legaré's verse than did any other periodical.

[22] The poet was also a practiced painter in oils. He occasionally earned income through the instruction in the art (see below, p. 231, n. 75) and for his amusement at one time decorated with murals the walls of the rooms in his Aiken, S. C., home. The poet's murals remain in the house.

[23] Horatio Greenough (1805-1852), American sculptor born in Boston.

[24] Powell's *Living Authors of America* was published by Stringer and Townsend (New York City, 1850).

[25] Legaré probably refers to Everett Duyckinck (1816-1878), New York journalist and editor, one of the most influential men in the literary world of his day. With his brother, George L. Duyckinck (1823-1863), he edited the weekly New York *Literary World* (1847-1853), which became perhaps the leading literary weekly of the period.

[26] See above, n. 25.

You must know, our Southern people are too often half asleep in matters of literature, becoming acquainted at large with books through the (native) Reviews, long after their first appearance. But in this instance, it shall be no fault of mine if a different order fails. I have written notices for the principal papers of Charleston and Augusta (Ga), and will endeavor to find time to send a more lengthy review to the 'Southern Quarterly' or 'Lit Messenger'. This I do out of mere satisfaction in the book and a sincere desire to have its boldness and vigor acknowledged and praised, before Mr Croker[27] and his 'freres' fall upon it in indignant fury, and so the lesser critics sing second. *Afterward,* they will be harmless enough — 'La casa quemada, acudir con el agua,'[28] as Don Somebody or other says.

Your mention of the "Sunday under three heads" of Dickens, surprised me, as I supposed I possessed all his works. I must get Mr Clark (of the K)[29] to send it to me, the next time I write — but, by the way, is there an American edition?

Let me ask you one direct question — although I am no 'Yankee' proper! How did it happen that you left out that little divinity of the ladies, Mr Tupper?[30] Surely you must feel the same gratitude towards him that I do, — as an Editor of a modernised edition of the Book of Proverbs, and so forth?

Respectfully and sincerely yours

J. M. Legaré

P. S.

I wish you could have seen as somebody (who was it?) saw in Cornelius Agrippa's black palm-fluid, how *We* (I, 'and one dearer') read your 'Edith', ensconced in a highbacked rustic seat[31] in the quiet woods, where from a hilltop, our eyes rested on the far blue hills—Does not a far horizon seem always to enlarge your very sense of existence? Although, to be sure, according to Teufelsdruck [*sic*] (what a name for any but a *Roman* nose!) 'What one sees, but cannot see over, is equal to Infinity'?[32]

JM. L. [6 pages]

To Thos. Powell Esqr
N.York

---

[27] John Wilson Croker (1780-1857), English statesman and literary critic, contributor to the *Quarterly Review,* was renowned as a severe reviewer.

[28] Spanish for "To come with the water after the house has burned down": well-known proverb. This quotation serves to demonstrate the poet's deep interest in Spanish literature and history. See also below, p. 226, n. 60, and p. 228, n. 65.

[29] Legaré refers to Lewis Gaylord Clark (1808-1873), who with his twin, Willis Gaylord Clark (1808-1841), edited the *Knickerbocker Magazine* (1834-1861). Both men were among the best known editors of their day.

[30] Martin Farquhar Tupper (1810-1889), English rimester, by his *Proverbial Philosophy* (1838-1842) that put commonplaces in rhythmical form, achieved enormous popularity.

[31] Legaré had already memorialized this rendezvous by his poem, "The Rustic Seat," *Southern Literary Gazette,* I, 41 (June 17, 1848).

[32] The poet refers to Diogenes Teufelsdröckh, the imaginary German scholar whose "Life and Opinions" Thomas Carlyle (1795-1881) gave to the world in his volume *Sartor Resartus* (1838). Legaré's memory tricks him, however, since the above quotation is not from *Sartor.* Professor Charles Frederick Harrold suspects "that it occurs in one of the later works, possibly one of the histories. I remember seeing it, somewhere, in connection with some difficult feat Carlyle was describing." (C. F. Harrold to the writer, 23 April, 1942).

5

TO THE DUYCKINCKS[33]

Aiken. May 8, [1848?]

[Addressed to both and enclosing "a few lines" that remain unidentified. "I like better to see some verses appear in your pages unpaid, than as paid articles in those of any magazine in the country, because it is remuneration enough to know one writes for the Brotherhood, and if anything, however small, be well said, it will surely be well received." 1 page]

6

Aiken. June 11, 1849.

Dear Sirs

I have several times sent to the Lit: World gratuitous articles, because in manly characteristics your journal stands foremost in America, and to my view it is better to be read by a few on whose capacity of appreciation an author can count, rather than glanced at by innumerable readers of Graham, Godey, and the like.[34] Indeed my best poems, 'Maize in Tassel' and two or three others, appeared first in your columns for the above reason.[35]

I now submit to you two poems; the shorter (in rhyme)[36] I beg you to accept as hitherto, — the longer, the most thoughtful, earnest, and good-designing I have yet composed,[37] I hope you will not decline to purchase at whatever you may please to estimate its worth: I will be content with your evaluation however moderate. To speak frankly, my pecuniary affairs at present, by a succession of mishaps, are much straitened — and yet much as I require even small remittances at the moment, should you not judge the poem worth *any* sum to *yourselves*, pray publish it also gratuitously, for I cannot reconcile myself to seeing a work, short[38] but written out of my soul rather than head, adorning the pages of a lady's magazine, although each line were paid for in gold instead of commoner coin. I offer it to you *first*, and yours it must be, even if my labor (in a pecuniary sense) be lost. One thing is certain — the poem has not been written with a primary view to gain — *then*, you know, I could only have written out of my head. no more: But because I wish to lend my aid to the overthrow of that frightful creed in which we are all reared — unchristian horror of death, or more properly, of dying. And as you will readily discern by the title alone, I desire this to oppose (for I speak only of the *moral*,

[33] In the Duyckinck Collection, Manuscript Division, New York Public Library.

[34] Though Legaré shared the aversion of Poe, Hawthorne, and other literary men of a more refined cast to the widely popular "ladies' magazines," Legaré himself had already contributed one of his better poems in 1848 to *Graham's Magazine* (1826-1858) of Philadelphia and was to contribute no less than six prose tales to the same periodical in 1850-1851. For the poet's opinion of the work done by his "left hand," see below, p. 226, n. 55.

[35] In 1848-1849 the *Literary World* published four of Legaré's poems. "Maize in Tassel" appeared in III, 287 (May 13, 1848).

[36] Legaré probably refers to "A Laurel Blossom," *Literary World*, V, 50 (July 21, 1849).

[37] This poem, "Thanatokallos," actually appeared at last in the *Knickerbocker*, XXXIV, 204-206 (September, 1849). The Greek title, which means "Beauty in Death," though readily intelligible, is apparently a neologism of the poet's, since no such noun compound is common in the language. Likewise, one *l* would have made for a more orthodox spelling.

[38] "Thanatokallos" is not so short. It contains 139 lines of blank verse. In its final form, Bryant's "Thanatopsis" adds up to 81 lines.

not of artictical effect and finish) the great poem of Mr Bryant. How unfortunate it was that so masterly a poet should have taught so sad a doctrine in Thanatopsis — for as Longfellow well says; there is no knowing in whose breast one of these our random arrows may descend[39] — and *that* must have descended into many. The more impressed I am, by repeated perusals, with the nobleness of the poem *as a poem,* the more have I regretted that treating as it does wholly of death, it should so regard the end of all as to render it of all others the last one dying would wish to read and muse over. A grand edifice in Literature — a vast pyramid of granite, with graves of Kings in its heart: a cloudy column like that which led the Israelites by day[40] — but will it turn to a pillar of light for any when night draws on?

I wish to call your attention to a trifling matter in the *lesser* poem, which you might otherwise attribute to accident or carelessness in rhythm; viz [?] that the verses are lengthened and rendered more sonorous as the subject itself grows in gravity.

Respectfully & Truly yours

J. M. Legaré. [2 pages]

[*lengthwise on margin*] If you suppose the *effectiveness* of the Poem on death, will be enhanced by publishing it anonomously [*sic*], you are welcome to do so. Be pleased to let the interval of at least one No. be between the publication of these two articles.

7

TO EVERT DUYCKINCK

Aiken. July 5, 1849.

[Arranging for him to interest Lewis Gaylord Clark in "a republican in the best journal in the country," the *Knickerbocker*, of "Thanatokallos," and submitting a few verbal and phrasal alterations for either editor's decision.]

O, we authors, with our vanity and butterfly wings not to be handled without leaving some of our brightness on the fingers touching ever so gently; and you critics, whose object, as a class, is to thrust a 'good specimen' through with a great pin and leave the unhappy insect to stiffen in the position in which impaled: is it any wonder such ill will commonly lies between the two, or that Mr Lowell has written a book to turn the tables for once![41] Indeed my idea of a 'Critic' is of a personage so awful and bloodthirsty, that I have never been able to regard you as belonging to the ranks of our implacable enemies, and cannot help thinking the fable of the jackdaw and borrowed plumes for once reversed (for we all see how your dingy,[42] are too scant to conceal your finer feathers,) and after all you are one of us in disguise. [3 pages].

[39] Legaré refers to W. W. Longfellow's well known little poem "The Arrow and the Song," published in *The Belfry of Bruges, and Other Poems* (1846).

[40] *Exodus,* xiii: 21-22. Specific Biblical allusions are almost non-existent in the poet's writings; but the critic of the *Literary World* was correct when, upon reviewing *Orta-Undis,* he asserted that the author's "graceful mind appears to be braced with a pervading religious feeling."

[41] James Russell Lowell (1819-1891) published anonymously his verse satire of contemporary literary men, "A Fable for Critics," in 1848.

[42] The poet has unintentionally omitted some such word as "plumes."

8

TO EVERT DUYCKINCK

Aiken. February 13, 1850.

I enclose three dollars and count on a full year's reading by my evening lamp of the very best paper of it's [*sic*] kind I know of in this Country or Europe. It was not *want of good will,* to be sure, that has made me at so late a date a subscriber to the LIT: WORLD in my own person — cotton has as much to do with the sale of paper as the making of it! Pray send the back Nos. from the commencement of the present vol, and I will count in no little favor if you will send with them such Nos of Last Year's Vol, *as contain 'Edith' and any other poems by Thos Powell.*[43] I admire his genius greatly, and as for the matter of his late misfortunes[44] (with my limited information I have no right to use a harsher term, nor any inclination either), I *never* suffer an Author and an everyday man to be *confounded* together in my estimation of the first—to *unite* the two is quite another thing. Besides, God knows only, who of us all is fit to cast the first stone. [2 pages].

9

TO EVERT DUYCKINCK

Aiken. March 26, [1850?].

[Expressing disappointment at "the non-arrival of the back Nos of the Lit World," together with the fact that, "at this distance from the centre of the (American) Universe, why I'm altogether perplexed to decide" the truth of the stories about Thomas Powell. 2 pages.]

10

TO EVERT DUYCKINCK

Aiken. July 14, 1851.

[Assuring him that he has already paid his current subscription to the *Literary World.* 1 page]

11

TO EVERT DUYCKINCK

Aiken. January 1, [1852?].

[Cancelling his subscription to the *Literary World* because "I have suffered such serious loss through a published in my debt,[45] that for the present I find need of reducing my expenses to the smallest compass, —

---

[43] See above, p. 229, notes 12 and 13.

[44] Powell came to America following accusations of literary forgery in England, and he seems to have been on the whole of a none too savoury character.

[45] John R. Thompson edited the *Southern Literary Messenger* from 1847 to 1860, frequently on a shoestring. From certain passages in Legaré's letters, below, to Thompson—especially Letter 16, p. 226, it would seem quite possible that the poet may have loaned money to the editor in a useless effort to compensate for the sagging circulation of the magazine. And on December 12, 1851, Thompson wrote to Rufus Griswold ". . . the *Messenger* is almost 'gone' . . . my affairs are really so much embarrassed that the sale of my library hangs over me like some impending doom. . . . Four yeards of hard labor find me in debt, my small patrimony exhausted and myself utterly unfitted for any sort of employment" (R. W. Griswold, *Correspondence,* Cambridge, Massachusetts, 1898, p. 279).

even in comparative trifles.' Concludes with declaring "how much I regretted missing you, last December, both in your own office and when you called in Bleecker S'." 2 pages.]

12

TO JOHN R. THOMPSON[46]

Aiken. November 13, 1849.

My Dear Sir —

I owe you many thanks for pleasant readings lately, and the more so since my apparent discourtesy in not acknowledging the receipt of the first, has not hindered you from sending a second No of the Messenger. It was only *apparent* discourtesy however, for, to speak honestly, my surprise and pleasure in the extraordinary improvement of the above work during your Editorship, (having lost sight of the consecutive nos. for many months I regret to say) rendered me unwilling to express my satisfaction and interest in nothing stronger than words. There are no means at hand for extending the circulation of the Messenger in this neighborhood, the fine dry climate being the only inducement to residing here, — certainly *not* the society. But I thought before this to have visited Charleston and exerted my personal influence so far as it goes, in swelling your list of subscribers and so I still hope to do, although your attention has drawn from me the promise rather than the result. I consider, without exception, 'Ike Marvel's' "Bachelor's revery"[47] the best magazine article of the day — or more definitely, of the present year — superior to anything to be found, within that period, in either Blackwood or the Knickerbocker, the only two magazines in our language, of course, with which the 'Messenger' may be classed. It is a masterly production of it's [*sic*] kind, and by the simple energy of its language and true pathos, would evidence it's [*sic*] author a genius, had not his former writings declared him so already. Should I visit the North this approaching summer, as I design in part, to procure materials for a weighty literary work, — I will go out of my way to make at least two acquaintances — P. P. Cooke,[48] and 'Ike Marvel'. Where do the two reside, and what is the real name of the latter? can you tell me? And so poor Poe is dead[49] — his poems rank first among my pet books, those almost-sacred few kept on a small shelf apart from my mere library volumes, and (sometimes one, sometimes another) companions of long rambles through the woods. I felt far more grieved at his death than I would at that of many a relative; for I *do* love genius in whatever shape manifested, and best of all in a true poet.

---

[46] Letter 13 is in MS. in the Alderman Library, University of Virginia, Charlottesville. Letters 14-16 are in MS. in the Anthony Collection, Manuscript Division, New York Public Library.

[47] Donald Grant Mitchell (1822-1908) was commonly known as "Ik. Marvel" or "Ike Marvel" from a misprinting of the pseudonym J. K. Marvel that he had adopted in 1846 as a signature to his contributions to a New York City newspaper. As Ik. Marvel he published in book-form in 1850 four essays entitled *Reveries of a Bachelor; or, A Book of the Heart*. The first essay had appeared in the *Messenger* in 1849. The sentimental tone of the *Reveries* completely won the hearts of readers, and the book became one of the best-sellers of the generation.

[48] Philip Pendleton Cooke (1816-January 20, 1850) was a native of the northern part of the Valley of Virginia. Like Legaré, he published but one volume of verse, the *Froissart's Ballads* (1847), but he also contributed some prose romances to the *Messenger*.

[49] Edgar Allan Poe died in Baltimore, October 7, 1849.

Both before and since his death, I have earnestly maintained his cause against such 'small people' as have no charity for the failings of great men, forgetting that delicate organization, not less of soul than of body, can seldom support harsh contact uninjured. There is only one glad thought, that God who knows intimately every spring of action and weighs all temptations more justly than any man can, — will surely be more merciful to those whose temptations were greater, by reason of the very greatness of the gifts He bestowed.

As an author, I will tell you concisely what I will do to show my sincere interest in your manly work. I am engaged, and will be for a time scarcely yet defined, in a work leaving little room for pleasant episodes of magazine articles: and what few productions of that sort escape my pen are half pledged to the Knickerbocker. But for all that, if you wish, I will now and then furnish you with a tale or poem at the usual magazine rates — I only with I might with any justice to myself, write gratuitously in aid of of [*sic*] a result of far more political weight that our petty politicians can understand — the refinement of the people by mental contact. Meanwhile, accept the enclosed copy of verses[50] for your next no — like most of my short poems they have no merit but earnestness. I have been critically accused of affectation,[51] but except in a few instances, I think with little justice. For at least one thing is certain, I write only when touched to the soul or moved by some more transient emotion — and all I say is verily out of my heart. I could not avoid smiling the other day, as I told Mr Clark, at Mr Hueston's (of the Knickerbocker)[52] business expression 'I enclose (such a sum) in pay (!) for Thanatokallos' — as if I would have written that poem for any mere 'pay' whatever. All manner of success attend you.

Truly and Respectfully yours

J. M. Legaré.

[*written round one side and the top of the first sheet*]

I fear you find this a sadly dull note, for I was wearied out before beginning it. By the way, you must not suppose I have any connection with every petty "Georgia paper" which cites my name. It would be churlish to refuse their request at the beginning, and after a contribution of old rubbish once or twice (which however I believe does me no little hurt as an author, or would if the circulation of the above was not so limited) I slip off without disturbance. I hope you will do as (or *better* than) your predecessor[53] and 'come south' (he only came *once*) I will be very glad to see you at home here. [4 pages].

---

[50] Perhaps "A Husband to a Wife," *Southern Literary Messenger*, XVI, 6-7 (January, 1850).

[51] In objecting to Legaré stanzaic structure and occasional phrasal introversions, the *Southern Literary Gazette* had declared, anent Orta-Undis, "Mr. Legaré's poetry is marked by a studied quaintness—amounting to a positive affectation, to which we are disposed to object. . . ."

[52] Samuel Hueston was the publisher of the *Knickerbocker Magazine* from 1849 to 1857.

[53] Benjamin Blake Minor (1818-1905) edited the *Messenger*, 1843-1847.

13

TO JOHN R. THOMPSON

Aiken. February 1, 1850.

My Dear Sir

You must give me credit for much good feeling towards the 'Messenger,' and faith in yourself, for I have acted with both in view without pausing to consult your pleasure farther. However there was no help for it — as I had need to do quickly, if I did anything. This is a mysterious fashion for the beginning of a note — so read the explanation before you conclude me a disciple of that choicest of newspaper empirics, Lippard.[54]

To confess the truth, I felt no little compunction (and your late note increased it!) at the arrangement I had made of my best literary material. I had sent to the Knickerbocker a tale,[55] (which is the *only thing* in prose I ever wrote of which I have not been heartily ashamed in three weeks after its conclusion, — it is an *original* tale if ever one was!) with this end in mind; that I would then place 'Janette'[56] at your service, and thus by the time the Knickerbocker would wish another article, be enabled to send Mr. Clark a poem[57] which so far as it is written (the whole is *sketched* out) is very far superior to any work, long or short, hitherto attempted: and this is not *my* judgment solely. (for I suppose it may be in verse as it is in painting — if I paint a piece which I take a strong aversion to in the end, the family,[58] and callers who chance to see it, say — 'how pretty' — and so for the reverse!) So I repeat this is not *my* opinion merely, but that of the only eyes possessing the freedom of all my MSS, and which seldom judge erroneously, because they are part of a pretty head, in intellect both much clearer and better than mine.[59] This poem I design to contain all that is deepest and worthiest in my musings and speculations in those most suggestive of all places, deep silent woods — not silent as some South American woods are from lack of life, but from absence of all human labors or voices.[60] and *finally,* this poem, I am rather ashamed to say, I designed for an NYork Magazine, because it (the poem) is the best, to the prejudice of a Monthly[61] of equal worth and possessing all the claims upon one's better feelings, which well sustained Southern excellence must, in these jealous days, exert even upon one who like myself regards with bitter hostility the firing of our common homestead's roof by demago-

---

[54] Legaré refers to the notorious George Lippard (1822-1854), Philadelphia hack writer and author of many sensational and "Gothic" novels.

[55] Probably the poet's prose satire, "Story of the Hàhà," which at last appeared in the *Messenger* for July, 1850.

[56] Legaré's poem "Janette" was finally published in the *Knickerbocker,* XXXV, 245-246 (March, 1850).

[57] "The Hemlocks," which at last appeared in the *Messenger,* XVIII, 115-116 (February, 1852).

[58] For the poet's relationships with his kindred, see below, p. 230-231, letter 20.

[59] Legaré's love for his wife he recorded in a good half-dozen poems, while several others contain passages that refer to her. Her eyes were brown.

[60] It is highly improbable that the poet ever possessed the money to travel anywhere beyond the Atlantic seaboard. The information about the jungle silence in tropical forests he undoubtedly acquired through reading; and we find reference to it again in his adventure romance of exploration in central Guatemala which he presented to *DeBow's* under the title of "Suppositious Reviews" (August, October, 1850; January through March, 1851). The tale purports to be a review of a Spanish travel-book, but is assuredly by the poet himself. The reference to the forest stillness occurs in *DeBow's,* X, 162 (February, 1851).

[61] The periodicals referred to are very probably the *Knickerbocker* and the *Southern Literary Messenger,* respectively.

gues and stump orators at North or South — for there are enough, and more than enough, of such at both. Heaven help us — (not we of the South — for we will be rather the best off, — but *All* of us as a great People, the first and most powerful on the globe) — in case of a Disunion! — but let's "return to our sleep."[62]

I have done already and without staying to ask your advice, there being no time as I have already said, all I can to correct my error. I have written directly on to stop the publication of the tale, to beg him to return it, and enclosing 'Janette' with the pointed wish that he would substitute that poem for the article in hand. Mr. Clark knows nothing of the *chiefer* poem, and as I have experienced his willingness to oblige me, I have no doubt, if still practicable, the exchange will be made to please me.[63] I told him that for private reasons I wished 'Janette' to appear in the K, and the tale published in another magazine. If the result should be as I hope, I will immediately forward the MS of the tale to you, and narrow indeed as my present means are, that you may be sensible I do not value that universal good-and-evil, money, most of all things, — you may give $4-$3 or what you can *afford*, per page — and remarkably big pages yours are — verily! I also pledge myself to give you the request of 'The Hemlocks' — (the poem above-referred to) when completed, which will not be for some months, as I never write a word of it when not in the humor; it was begun before 'Janette' and others even: and that at your own price of $4. of course. Do you like all this? — I hope you *do* — you should, I think! Although I dislike the practise and have never before done it, I will enclose a few verses of the 'Hemlocks,' that you may judge at least the *style* so far as written.

How keenly I felt (and feel) the death of poor Cooke![64] I am far from being a nervous temperament, but the sudden intelligence of the death of a man of *genius* always affects me restlessly for a time, and with some instinctive feeling of what kind I cannot tell, I selected *his* 'poems' from among my 'pet books,' and paced the room with it in my hand (it was twilight) until the emotion was passed. Poe's death moved me much in the same way — I *cannot* bring myself to weigh for a moment a man's sad infirmities *against* his genius. What a speechlessly lovely place (or estate) must that Heaven be, where *all* are possessed (only in an inconceivably greater degree) of what we call 'genius' here.

Very sincerely yours,

J. M. Legaré.

P. S. I have *just* received a note from Mr. Hueston offering $50 for the tale sent to the Knickerbocker — which is at the rate of 'I-don't-know-what' per page! Not very much I suppose, for the Knick's pages are small in compass, and, which bears more still on the point, he Mr. Hueston is very 'hard up' (ut dicitur) at present from having expended every cent of his and *more* in the purchase of the 'Knick': This I know from a private source, though I mention his note just to show you, the disposition of the MSS is

---

[62] For the poet's nationalistic outlook on matters political, see below, p. 229, n. 70.
[63] It was. See above, 226, n. 56.
[64] See above, p. 224, n. 48.

not in my hands *now* — and of course cannot be until I hear in reply to my late note, an answer to which I will expect daily next week.

I design to show at once my value of the 'Messenger' by more than words. It is *not* enough (or properly) noticed in the Papers. I think it may do some little good if I write an article or two for the Charleston and Augusta papers, directly to the purpose. At least, I will try it. I will write you shortly again and show more *tangibly* my desire to spread the Messenger's circulation, even before [*henceforth written completely round the margin of all the sheets*] I go to Charleston. I can't take an interest, unless it is a real, bonafide, *warm* interest — one feels the better for doing so. By the way, don't misunderstand me so much as to fancy the mention of Mr. Hueston[s] offer was designed for a *hint* in any direction — I heartily despise what is called 'hinting' at an end, and would have spoken out. [4 pages.]

14

Aiken. May 16, 1850.

[Offering him in advance his prose romance "Pedro de Padilh,[65] a tale "designed to form a starting point in my prose composition as clearly defined against the background of my former inanities in authorship" in prose. He has two objects in view, to illustrate little known but highly romantic passages of Spanish (*Insular*) History of conquests, — the other, to write down, if I am able, the absurdities of speech and custom which the stilted romances of the preceding century and their imitators in this, have persuaded modern mankind were 'household words'[66] of mankind three centuries or so ago. For my part, I believe in no tragedy heroes such as certain novelists picture — I believe men thought, lived, acted, spoke much *then* as they *now* do; and I wish to advance and support my plea for justice to the silent, dead — so long dead — predecessors of our in this, in some respects, changeless world."[67] 4 pages.]

15

Aiken. May 22, 1850.

[First paragraph quoted in full. Rest of letter pertains largely to his prose satire, "Story of the Hàhà" (*Southern Literary Messenger*, XVI, 414-426, July, 1850).]

I hasten to reply to your note received only this aft, for I sincerely feel with you in your mixed personal and literary position. Tomorrow I will write to friends in different parts of the country, urging the claims of the Messenger — the only manly literary publication of the South; even

---

[65] This historical romance appeared in *Graham's* XXXVII (August-December, 1850). It is another evidence of the poet's interest in Spanish history and culture. It is doubtful, however, that Legaré could do more than read simple Spanish in the original.

[66] The poet refers to the English weekly periodical, *Household Words* (March 30, 1850-1859), which was edited by the novelist Charles Dickens (1812-1870), who founded it.

[67] This passage is valuable in that it adds to our knowledge of the poet's literary theory. His explicit utterances thereon are few. They tend strongly toward an espousal of realism. For Legaré's opinions on (a) the historical novel or tale, see "Pedro de Padilh," *Graham's* XXXVII, 92 (August, 1850); (b) on the "sentimental heroine," see *Graham's* XXXVII, 376 (December, 1850); (c) on plot structure, see "The Lame Girl," *Sartain's* IX, 106 (August, 1851).

De Bow's Review when altered from it's [*sic*] present purely mercantile character (he has written to solicit articles with that view)[68] will be far from competing in point of position. I will also without awaiting your permission, make such *delicate* use of the confidence you repose touching the Messenger's 'impaired constitution' in the columns of various papers as, with an earnest desire to produce a reaction in the lethargic perception around, I may judge best suited to bring about that result. Finally, I will hasten my long procrastinated visit to Charleston (the late winter and Spring must bear the reproach of my detention here) with the view of proving by personal applications, the sincerity of my good wishes and hitherto useless promises. The Messenger must not, most of all at this political crisis,[69] by its fall offer another proof of the shortsighted stolidity of our people. I am fairly sick of the everlasting rant for rights about me, and arrogant neglect of what is nearest and highest![70] [4 pages]

16

TO JAMES HENRY HAMMOND[71] (1807-1864)

Aiken. September 6, [1848].

[Thanking Hammond for his offer of financial assistance in certain unspecified literary projects, and arranging for a meeting in the near future at Hammond's home. 2 pages].

17

Aiken. March 22, [1858].

[Encloses a printed description "of the first of my inventions,[72] now rapidly getting into use, and likely to push from competition all materials

---

[68] James D. B. DeBow (1820-1867), influential Southern editor and journalist, was born in Charleston and was for a time a college-mate of Legaré's at the College of Charleston, where DeBow graduated in the class of 1843. Legaré sent his old acquaintance a copy of *Orta-Undis,* which DeBow himself reviewed for his magazine.

[69] Legaré has reference to the country-wide agitation then stirring over the so-called Compromise of 1850, relative to the extension of slavery in newly acquired territories following the Mexican War. On March 4 the Southern spokesman Calhoun had delivered his "Speech on the Slavery Question," which had been answered three days later by Webster with his now celebrated "Seventh of March Speech."

[70] As the consuming flames of the Civil War licked nearer, Legaré was among the minority of Southerners who contrived to keep a cool head and utter a prayer for unity. Though warmly Southern, he advocated continued national solidity both for national and for practical reasons.

[71] In the James H. Hammond Papers, Library of Congress. The Legaré MSS. are allocated as follows:

Letter 16—Hammond Papers, vol. 16, no. 21743.
Letter 17—Hammond Papers, vol. 23, no. 23154.
Letter 18—Hammond Papers, vol. 24, no. 23573.
Letter 19—Hammond Papers, vol. 25, no. 23827.
Letter 20—Hammond Papers, vol. 26, no. 24092.

Hammond was a native South Carolinian and governor of the state for two terms in 1842-1844. He was United States Senator, 1857-1860, resigning upon the election of Abraham Lincoln. The highlight of his senatorial career, and the only reason for which he is popularly remembered today, lies in the fact of a speech he made, replying to a speech of Senator William Henry Seward, on March 4, 1858. In this reply Hammond popularized, though he did not invent, that celebrated shibboleth of Dixie, "Cotton is King!"

[72] In the United States Patent Office *Annual Report,* 1857, Part One (vol. I, pp. 589-590), we find the following description of the poet's first invention: "No. 18,980.—James M. Legaré, of Aiken, S. C.—*Improvment in Preparing Plastic Cotton for Moulding Purposes.*—Patent dated December 29, 1857.—The nature of this invention consists in rendering cotton, lignine, or any fibrous material whatever soft and plastic, capable of being worked up by hand without the use of moulds, and so converted into furniture of solid or open patterns and decorations of buildings, and into fire and water proof roofing." There follows a detailed description of the constituent materials.

now used for roofing purposes, if not for walls." Cites two other inventions, one completed, the other largely so.[73] Assures Hammond that all of his friends, "both here and down the country 'hurra'd bravely' when you ran that grand tilt the other day, against Northern Fanaticism and Humbug.[74] Everybody asked Everybody - 'Have you read Gov Hammond's Speech?' " 2 pages].

18

Aiken. June 16, [1858].

["Over work perhaps, and over anxiety brought on the field my old enemy of eight or ten years ago — I mean, hemorrhage of the lungs." Hopes that Hammond will soon find time to ride over to Aiken "and let me show you some of the results of my works since my abandonment of literature!" 3 pages].

19

Aiken. November 24, [1858].

[Thanking Hammond "for a copy of your grand last Speech in a form fit to preserve" and declaring that he hopes "shortly now to have an able associate in the Patent Right who will be able to manage matters rightly. . . ." 2 pages]

20

Aiken. May 15, 1859.

[Reveals that all Legaré's mechanical discoveries, since his first interest in invention "About twelve years ago," have been but ancillary to his chief desire, the construction of a 'Dual Air Engine' motivated by "steam and hot air conjointly" in the proportion of 1 to 12. During his labor therein he has on the side brought to completion three minor inventions: a frame composition; 'plastic-cotton'; "a light, cushionless easy reading-chair . . ." Of the three the first two only are patented. He asks Hammond for a loan of $1,200 to cover the cost of patenting here and abroad the Air Engine and paying small immediate debts he has contracted incidentally to his labor. "If I were to ask such aid now even in the moment of success, from the two or three of my own name and blood who are considered excessively wealthy, they would give as to a beggar if they gave at all . . ." He has obtained his food by dining at his Father's house and has "also dressed with a close economy which only 'slop-shops'

[73] In Letter 20, Legaré reveals what all these inventions are. Though the one "largely" completed was apparently never patented, he did secure a patent for the other invention cited. In the Patent Office *Annual Report*, 1858, Part One (vol. I, p. 667), we read: "No. 20,569—J. M. Legaré, of Aiken, S. C.—*Improvement in Ivory Frame Composition.*—Patent dated June 15, 1858. . . . Claim.—The employment of any saponified material, in combination with a neutral clay, as a basis of my composition, substantially as set forth in the specification." Though the poet's reclining-chair and his dual-air engine were never to be patented, his plastic-cotton preparation found much use. In Aiken today, in the home of Mary H. Ravenel, is a piece of the fibre, twisted rope-like as decoration for a bookcase, while the Ravenels at one time also possessed a small what-not made out of the material (Mary H. Ravenel to the writer, December 20, 1941). A screen made by the poet through this process may be seen today in the Charleston Museum.

[74] The speech is, of course, the one referred to in n. 71 above. These words of animosity are the only recorded ones by the poet revealing a sectional bias—which fact, considering the high emotions that stirred both North and South on the eve of the war, is notable indeed.

could supply, and have denied myself still more in the purchase of books . . ." He has attempted to gain an income "by painting, or by writing for the magazines, or by drawing lessons, for two years, to a couple of pupils:[75] one year I even tried a class of 'finishing' young ladies. . . ." This letter was written just two weeks before the poet's death, which occurred on Monday evening, May 30, at Aiken. 11 pages].[76]

---

[75] The poet probably attempted more than once to eke out a livelihood through instruction in painting. On at least one occasion, during the summer of 1847, he instructed the children of John Marsh Adams (1801-1853), a well-to-do merchant who lived on the Sand Hills outside Augusta, Georgia. Unfortunately, during his course the poet was again brought down by consumption; and Mrs. Adams had to nurse him back to temporary health. ([Sarah Susannah Adams], *As I Remember, and Other Reminiscences,* New York and Washington; Neale Publishing Company, 1904, pp. 106, 108).

[76] Only three obituaries of the poet have been uncovered. The chief, and by far the fullest, was by the Charleston poet Paul Hamilton Hayne (1830-1886), who, as editor of *Russell's Magazine* (1857-1860) in Charleston, gave his lead article in the "Editor's Table" for the issue of July, 1859 (V, 370-372). Two other brief identical notices were also published in the *Charleston Mercury,* June 2, 1859 (p. 2, col. 2) and in the Charleston *Daily Courier,* same date (p. 2, col. 6). From Charleston, on July 24, 1859, William Gilmore Simms (1806-1870), the Charleston novelist, wrote to the poet's father, requesting factual data for "the sketch which I propose to make of your son." Apparently this sketch never materialized (the MS. of Simms's letter is in the possession of Mr. A. S. Salley, Secretary, South Carolina Historical Commission, Columbia, S. C.). Simms had been aware of Legaré's work at least as early as 1845, when was published, under Simms's anonymous editorship, *The Charleston Book: A Miscellany in Prose and Verse* (Charleston: Samuel Hart). To this compendium Legaré contributed (pp. 189-199) the second longest piece in the book, his narrative poem of the Revolution, "Du Saye: A Legend of the Congaree."

RECONSTRUCTION LETTERS FROM NORTH CAROLINA

Edited by

JAMES A. PADGETT

PART XI

LETTERS TO SALMON PORTLAND CHASE

The letter books and papers of Salmon P. Chase, purchased by the Library of Congress in 1902, comprise twenty-two volumes of letter books, memoranda and notes, and about 10,000 letters. The letters are arranged chronologically and are bound in 108 volumes. The letter books consist mainly of letter press copies, covering the period from 1833 to 1872. The other books in the collection comprise a volume marked "Votes by Counties, [Ohio] German Voters, 1848-1851"; a volume lettered "Stocks, New York, 1861-1862"; a commonplace book; a diary for the years 1861 to 1863; a "Farm Diary and Calling List," 1873; a volume of biography; and a volume of "Family Memorandums."

The correspondence begins with 1755, but there are only three letters prior to 1810, and the earliest letters to Chase are dated 1824. The latest papers are dated 1874. The letters cover all the phases of his life. Many of the earlier ones are addressed to him at Washington, during the time he conducted a classical school for boys and studied law with William Wirt in that city. The years he spent in Cincinnati as an attorney and his services as Senator, as governor of Ohio, as Secretary of the Treasury, and as Chief Justice are all fully represented in the collection. He had correspondence with many of the outstanding leaders in the Republican party of his day, as well as with many men of the ordinary walks of life.

Since he was Chief Justice of the United States Supreme Court during Reconstruction one would not expect to find many letters from Republicans in North Carolina during this period, but since he continually had the presidential bee buzzing in his bonnet, seeking the nomination from any party or faction which would back him, quite a number of the Republicans of the South wrote to him about the prospects of Republican success in that section and conditions in the South.

Beaufort, N. C.
Sept. 2nd 1865

To the Hon. Salmon P Chase[1]
Chief Justice U. S.

You having during your short sojourn in Beaufort, made a frank avowal of your views of reconstruction of our governments, to which I heartily subscribe & besides having exhibited an approachability so consonant to my feelings in my great deprivation. consequent on the Civil War, that I am inclined to ask you to aid me in some appointment of trust & profit that will enable me to sustain my family— I have sent up my name fortified by the recommendations of our worthiest Citizens, repeatedly; & received no response, whether from the fact of my applications not having been presented or not having been reached I know not— The place of Assessor for the District of Newbern is as I hear as yet unfilled—All I ask of you, whom I confidently believe to be a highminded, liberal gentleman is to speak one word in my behalf in the obtainment of this or some other place— You may be assured that the trust will never be misplaced & you shall ever have my most cordial remembrances— Respectfully & truly James H. Taylor[2]

Raleigh N. C.
April 23d, 1867

Hon. S. P. Chase

Sir:

Yesterday Governor Worth[3] and his friends assembled with the Colored Citizens at Capitol Square in this Town.[4] The object was the same as that at Richmond— namely to influence the vote of those men but it failed most beautifully. They paid respectful attention to all that was said to them but occasionally put in such responses as to greatly trouble the speakers.

---

[1] Salmon Portland Chase was born in New Hampshire on January 13, 1808; attended several schools and then graduated from Dartsmouth College in 1826; taught school; studied law in Washington, D. C.; was admitted to the bar in 1829; and began to practice law in Cincinnati, Ohio, in 1830. He was elected to the city council in 1840 as a Whig; joined the Liberty Party in 1841; attended its national convention in 1843 and 1847; was a delegate to the Free-Soil National Convention in 1848 which nominated Van Buren for President; served in the Senate as candidate of some Democrats and Free-Soilers, serving from March 4, 1849, to March 3, 1855; was elected governor of Ohio as a Free-Soil Democrat in 1855 and as a Republican in 1857; served in the Senate from March 4 to March 6, 1861; was Secretary of the Treasury from March 6, 1861, to July 1, 1864; and was a member of the peace convention held in Washington in 1861 in an effort to prevent the Civil War. On December 6, 1864, he was appointed Chief Justice of the United States Supreme Court; was a member of the National Peace Convention in 1868; presided at the impeachment trial of President Johnson in 1868; and died in New York City on May 7, 1873. *Biographical Directory of Congress*, pp. 804-805.

[2] The editor has been unable to identify James H. Taylor.

[3] Jonathan Worth (November 18, 1802-September 5, 1869) practiced law, served in the legislature, was a planter and engaged in the turpentine, railroad, and plank road businesses, and became an outstanding leader in politics. He was in the legislature, 1860-61, where he opposed secession as he had opposed nullification in South Carolina nearly thirty years before. After secession he supported the South, was state treasurer from 1862 to 1865; was elected governor in 1865 and 1866; but was removed in 1868 by General Canby. He favored the new constitution of 1866, but opposed the Fourteenth Amendment to the Federal Constitution. He very much opposed Congressional Reconstruction but was friendly to General Daniel E. Sickles. *Dictionary of American Biography*, XX, 536.

[4] In reality this meeting was intended to aid the Negroes in their newly acquired rights of suffrage, but they did not appear to appreciate it. J. G. de R. Hamilton, *Reconstruction in North Carolina, passim.*

One thing can be said of Governor Worth, Major Gales[5], and Mr. Battle[6]—the three who spoke on the occasion, they were kind in their language as well as in their temper, and did not abuse us of the North in the manner of Judge Daniel[7] & Marmaduke Johnson of Richmond. A very large audience was expected but how great was the disappointment when only between two and three hundred persons were to be seen on the ground!

The colored people are wide awake even down here and it is impossible to lead them to vote for their former Masters.

There is however a deplorable ignorance of matters especially in the country, and there is great fear too that if they vote against their old masters they may be discharged from employment as some are mean enough to threaten.

Mr. Harris[8] who is President of the National Equal Rights League[9] in this state, and who is also with us in the Grand Council of the state, was called on yesterday for a radical speech, for the meeting an enthusiastic radical one and all voted that they were Republicans.

Mr. H. made a curious address. He said just as much to favor the opposition as did on the republican side and made some allusions to Lincoln that were painful.

Gov. Holden[10] and myself have talked the matter over and concluded that if he proceeds in this way he will do great mischief. He is a man of marked ability and does some good but undoes it again in the way of yesterday.

---

[5] Seaton Gales was a member of the resident central committee of the Conservatives or Democrats in 1868. They made a good platform. Hamilton, *Reconstruction,* p. 362.

[6] Richard H. Battle was born in Louisburg, North Carolina, on December 3, 1835, the son of William Horn and Lucy Martin Plummer Battle. He graduated from the University of North Carolina in 1854; studied law under his father; and was admitted to the bar in 1857; first practicing in Wadesboro. He entered the Civil War as first lieutenant in the forty-second North Carolina regiment, but he resigned in 1862 to become private secretary to Governor Vance, a position which he held until August, 1864, when he became state auditor. On November 28, 1860, he married Annie Ruffin Ashe. After the close of the war he formed a partnership with Samuel F. Phillips and they enjoyed a lucrative business until the dissolution of the partnership in December, 1868, when Battle became a member with his father and brother, Kemp P. Battle, under the name of W. H. Battle and Sons. In January, 1876, he formed a partnership with Samuel F. Mordecai, under the style of Battle and Mordecai, which firm continued into the twentieth century. "No man in recent years has attained to a higher eminence in the profession" than he. He was a member of the state Democratic committee, serving as chairman from 1884 to 1888; served as president of the board of directors of Rex Hospital for years; was director of the Citizens' National Bank, Raleigh, of the Raleigh Cotton Mills, and of the Neuse River Cotton Mills; and was president of the North Carolina Home Insurance Company. He became a trustee of the University of North Carolina in 1879; became secretary and treasurer in 1891; was one of the founders of the Good Shepherd Protestant Episcopal Church; and in 1886 he became a member of the general convention of the Eposcopal Church throughout the United States. Samuel A. Ashe, editor, *Biographical History of North Carolina,* VI, 39-43.

[7] William Daniel was born in Winchester, Virginia, on November 26, 1806, and died in Lynchburg, Virginia, on March 28, 1873. He was educated at Hampden-Sydney College and at the University of Virginia, and while yet a youth was a lawyer of large practice and wide reputation for his eloquence. He was elected to the Virginia house of delegates before he was of age; was an elector on the Polk ticket in 1844; and served as judge of the supreme court of appeals in Virginia from 1847 to 1865. *Appleton's Cyclopaedia of American Biography,* II, 75.

[8] James H. Harris of Wake County, North Carolina, was a native of the state, but he was educated in Ohio. He had unusual ability as a speaker and was an outstanding Negro. He served as grand marshal of the Union League of North Carolina; served in each house of the legislature, and became a candidate for Congress in 1868 for the fourth district, but John Deweese bought him off by paying him $1,000. He was a prominent figure in the railroad scandals and in the "Kirk-Holden War." *A Manual of North Carolina,* 1913, p. 832; Hamilton, *Reconstruction,* pp. 150, 247, 254, 281, 335n, 336, 350, 368, 404, 492n, 497, 583, 583n.

[9] The National Equal Rights League was only one of the various organizations working for the advancement of the Negroes of the South. It was not always called the same name in various sections.

[10] William Woods Holden (November 24, 1818-March 1, 1892) became a printer and then editor. He was a leading secessionist, but began to shift about 1860. He was a delegate to the Charleston and Baltimore conventions; was a member of the North Carolina secession convention and favored withdrawal from the Union; backed Vance for governor and then broke

I told him he was not radical enough and that he was on both sides if I judged his remarks correctly.

And he is on the list of officers of the National Equal Rights League with Langston[11] and others. If Langston would write him a letter complaining of his course and advising him to be bolder for the right I see no reason why I should not hope to see this State saved.

There is to be a great Republican meeting tonight and I am invited to speak. I am now at a loss to know which way to proceed, whether to go to Charleston where we have organizations or to New Orleans where we have none. I will Telegraph Judge Edmunds[12] for instructions.

Nothing but the League will do in the south. the colored men like it and feel secure by its obligations. The whites and blacks meet and work in perfect harmony here and I rejoice to inform you that I see the slavish prejudice which has been so widespread down here gradually disappearing.

Believe me as ever
Most Truly Yours
Thomas W. Conway[13]

Raleigh N. C Dec 3d 1867

Hon. S. P. Chase

Dear Sir

Your kind letter of the 25th ult. has been received. I am Scarcely able to express my thanks for the encomium from a Source So honorable.

I trust I may be able to reciprocate. in 1868 the dear words of encouragement and compliment so freely bestowed in your letter. you can hardly concieve [*sic*] the genuine pleasure that animates us hourly. darke [*sic*] clouds have been rolled aside and the effrulsent sun of liberty shines with un diminished splender over the redeemed and purified Commonwealth of my nativity.

yours very truly
J. H. Harris[14]

---

with him; and ran for governor in 1864 with the idea of withdrawing from the Southern Confederacy. President Johnson appointed him provisional governor in May, 1865; the Senate later refused to confirm him as minister to San Salvador; he became a strong radical reconstructionist; was elected governor in 1868; but was impeached and removed after the Democrats swept the state in the election of 1870. *Dictionary of American Biography,* IX, 138-140.

[11] John Mercer Langston was born in Louisa County, Virginia, on December 14, 1829; was an outstanding Negro; attended the common schools of Ohio and graduated from Oberlin College in 1849 in the literary department and in 1852 in the theological department; studied law in Elyria, Ohio; was admitted to the bar in 1854 and commenced to practice in Oberlin, Ohio; took an active part in recruiting Colored troops in the Civil War; held several offices in Ohio; and moved to Washington, D. C., where he practiced law. He was dean of law department of Howard University from 1869 to 1876; was appointed member of the board of health of the District of Columbia in 1871; was consul general to Haiti and chargé d'affaires to Santo Domingo; was made vice president and acting president of Howard University in 1872; was a delegate to the Republican Convention in 1876; became president of the Virginia Normal and Collegiate Institute, Petersburg, Virginia, in 1885; in congress from September 23, 1890, to March 3, 1891; was defeated for Congress in 1891; and died in Washington on November 15, 1897. *Biographical Directory of Congress,* pp. 1202-1203.

[12] George Franklin Edmunds was born in Vermont on February 1, 1828; was educated in the common schools and by private tutor; studied law and began to practice in 1849; served in both houses of the Vermont legislature, presiding over each house; served in the Senate from April 3, 1866, until his resignation on November 1, 1891; was a member of the Electoral Commission in 1877; resumed the practice of law in Philadelphia; and later moved to Pasadena, California, where he died on February 27, 1919. *Biographical Directory of Congress,* p. 934.

[13] The editor has been unable to identify Thomas W. Conway.

[14] See above, p. 234, note 8.

Raleigh N. C. June 10th 1868

Dear Judge:

I passed through Richmond Saturday Morning and regretted that I was unable to stop and see you. I find that a decided majority of the intelligent opponents of the "Radicals" are for you. There are some who hold back, but their prejudices are by no means insuperable. Your friends are zealous and determined, and I am assured that a majority of the delegates to the New York Convention are for you.[15] They are not confined to either class of the old party politicians, but embrace both Whigs and democrats, or Unionists and Secessionists. Carter,[16] when whom you saw here is warm in the cause. So is James M. Leach[17] of Lexington who was for some years in Congress. Gov. Matt. Ransom,[18] of the rebel army, and a man of telent and influence, is for you, and I may say the same of nearly all the lawyers, Leach and Ransom. Gov. Graham[19] is reserved as you are aware, but I believe, he will take the same view. Mr. Moore,[20] Mr. Haywood,[21] Mr. Badger [22] jr, and Judge Fowler are out spoken. There is a general desire to see you, and I am asked at every turn, if you will be here.[23]

---

[15] The Democratic convention in New York in 1868 was a hotly contested affair. For twenty-one ballots no decision was made, but on the twenty-second ballot with a landslide Horatio Seymour was nominated. He had not been in the race before this ballot. On the eighteenth ballot Chase received half of a vote, on the nineteenth the same, and on the twenty-first four votes. Since Chase could not be nominated on the Republican ticket he was willing to run on any ticket. Edward Stanwood (revised by Charles Knowles Bolton), *A History of the Presidency*, I, 325-326.

[16] D. M. Carter approved the plan of reconstruction for North Carolina introduced by Thaddeus Stevens on December 13, 1866. In 1872 he ran in the first district of North Carolina as a Conservative against C. R. Cobb, the Republican, but lost. Hamilton, *Reconstruction*, pp. 187n, 587n.

[17] James Madison Leach was born in Randolph County, North Carolina, on January 17, 1815, and died in Lexington, on June 1, 1891. He attended the common schools and Caldwell Institute, and graduated from West Point in 1838. After studying law he was admitted to the bar in 1842 and located in Lexington. He was in the state house of representatives from 1848 to 1858; was in Congress as a Whig from March 4, 1859, to March 3, 1861; and served as captain and then as lieutenant-colonel in the Confederate Army. He was in the Confederate Congress in 1864 and 1865; in the state senate in 1865, 1866, and 1879; and served in Congress as a Conservative or Democrat from March 4, 1871, to March 3, 1875, but refused to run again. *Biographical Director of Congress*. p. 1212.

[18] Matt Whitaker Ransom was born in North Carolina on October 8, 1826, and died in the same state on October 8, 1904. He graduated from the state university in 1847, and, after studying law, he began to practice in Warrenton. He was attorney general of North Carolina from 1852 to 1855; served in the state house of representatives from 1858 to 1860; and was in the Provisional Congress at Montgomery, Alabama, in 1861, as a peace commissioner. He entered the army as a private and rose to the rank of major-general; served in the Senate from January 30, 1872, to March 3, 1895; was minister to Mexico from 1895 to 1897; and then engaged in agriculture. *Biographical Directory of Congress*, p. 1444.

[19] William Alexander Graham was born in Lincoln County, North Carolina, on September 5, 1804, and died in Saratoga Springs, New York, on August 11, 1875. After graduating from the University of North Carolina in 1824, and after admission to the bar in New Bern, he began to practice in Hillsboro. He served several terms in the state legislature, being speaker more than once; was a United States Senator from December 10, 1840, to March 3, 1843; was elected governor in 1844 and 1846, but refused to run for the third term; and declined the mission to Spain in 1849. He was Secretary of the Navy from 1850 to 1852; was the Whig nominee for Vice President in 1852; served in the Confederate Senate from 1864 to the close of the war; was a member of the Union Convention in Philadelphia in 1866; and at the time of his death was on a committee to settle the boundary line between Virginia and Maryland. *Appleton's Cyclopaedia of American Biography*, II, 701-702.

[20] Bartholomew F. Moore was a leader in the North Carolina convention of 1865; drafted a freedmen's code; favored a convention, but opposed the constitution as made; and wrote the protest of the bar against the Reconstruction regime. For years he was known as the "father of the bar." Hamilton, *Reconstruction*, pp. 121, 124, 131, 153, 173, 176, 250, 283, 390, 392-393, 399n, 605.

[21] Edmund Burke Haywood was born in Raleigh, North Carolina, on June 13, 1825; was educated at the University of North Carolina and received his medical degree from the University of Pennsylvania in 1849; and began to practice in Raleigh where he was still living in 1887. In 1861 he was appointed surgeon over the Confederate hospitals in Raleigh and Richmond; and was acting medical director of the department of North Carolina, and president of the board to grant discharges from 1863 until the close of the war, when he

I hope you will find it convenient to come. Judge Brooks,[24] who is also your friend, desires to see you, and reserves the Grand Jury for you to charge. — In fact, the business of the Grand Jury is not yet through with.

In regard to the obstruction process, I may say to you, that the officials at Washington fully approve my course, and would have acted as they did formerly If the impeachment had not been pending. Binckly intimated his to me. Of course I would not make public a fact so little creditable to the independence of the Government. — Such is poor human nature. I doubt not the Administration would be strengthened in the back by a charge to the Grand Jury from you, while you would be applauded by the country, North and South. What I did to defeat Sickle's[25] arbitrary orders gained me the confidence of the intelligence of the State, without distinc— of parties while I made not an enemy even among the debtor class. It was manifest that I did what the law and my oath of office required of me, and that fact excused me even with those who would gladly postpone or escape the payment of their debts,

As an old Anti-Slavery Republican I have deemed it inexpedient to press your name upon the attention of democrats; but I have no occasion to do so— I can accomplish a great deal more by merely answering their spon-

---

returned to his practice. He was president of the Medical Association of North Carolina in 1868, and, from 1871 to 1877, of the state insane asylum. He was a delegate to the International medical congress in Philadelphia in 1876, and contributed papers to various surgical and medical journals. *Appleton's Cyclopaedia of American Biography,* III, 148.

[22] Richard C. Badger was counsel for Governor Holden in the Kirk-Holden arrests of the Ku Klux leaders in North Carolina. He was also chief counsel with four associates for Holden in his impeachment trial. He was conservative and opposed the use of the militia in the arrest of the leaders in the Ku Klux war. Hamilton, *Reconstruction,* pp. 362n, 397-398, 446, 497, 508, 510, 546-547, 553, 561, 596-597, 637n, 639.

[23] In June, 1867, Chase held a session of the circuit court in Raleigh and ordered that the jury list should contain "all persons regardless of race or color, otherwise qualified." Hamilton, *Reconstruction,* pp. 200, 228, 231-232.

[24] George Washington Brooks (March 16, 1821-January 6, 1882) was born in Elizabeth City, North Carolina. After attending Belvidere Academy he studied law; served in the legislature in 1852; was in the convention of 1865-66; and allied himself with the Union men. His friendliness with the administration in Washington led President Johnson to name him United States district judge in August, 1865, which nomination was confirmed on January 22, 1866. The conduct of his office until his death was marked by sound judgment and industry. When Holden in 1870 invoked martial law in two counties of the state, proposed to try the offenders by a military court, and treated the state supreme court with contempt, those who were arrested took their cases to Judge Brooks, who immediately issued writs of *habeas corpus.* This was the first time the Fourteenth Amendment to the United States Constitution was invoked to protect white men. *Dictionary of American Biography,* III, 77.

[25] Daniel Edgar Sickles was born in New York City on October 20, 1823, and died there on May 3, 1914. After learning the printer's trade and working at it for several years, he studied law and practiced in New York City. He served in the legislature, was corporation counsel, and was secretary to the legation in London from 1853 to 1855. He served in the state senate from 1856 to 1857; was Representative in Congress from March 4, 1857, to March 3, 1861; and was tried for the murder of Philip Barton Key, whom he shot on account of intimacy with his wife. At the outbreak of the war he raised the Excelsior Brigade of United States volunteers in New York City and became colonel of one of the five regiments. He fought under Joseph Hooker. On March 7, 1863, he was made a major-general, and played a leading role in the Battle of Gettysburg as well as in many other battles. In 1865 he was sent to Colombia and to other South American countries on official business. He joined the army again as colonel on July 28, 1866; was commander of the military of the district of the Carolinas from 1865 to 1867, but was removed by President Johnson for his strictness. On January 1, 1868, he was mustered out of volunteer service and on April 14, 1869, he was placed on the retired list. He declined the mission to the Netherlands and to Mexico; backed Grant for the Presidency; and served as minister to Spain from May 15, 1869 to March 20, 1873. *Appleton's Cyclopaedia of American Biography,* V, 523; *Biographical Directory of Congress,* p. 1524.

taneous inquiries. I cannot turn round without meeting them. I hope you will find it convenient to come.

I am with great regard

Your friend & obt. sevt.

Daniel R. Goodloe[26]

Hon. S. P. Chase
Richmond, Va.

Raleigh N C June 17/68

Hon S P. Chase Chief Justice

My Dear Judge—

I have read your letter of the 14th addressed to Mr. Goodloe this Evening. I did not reply to your letter immediately because the Grand Jury had had so far progressed with their business as to render it necessary to discharge them some days before you suggested you would be able to come to Raleigh— I well know too that the members of the bar in attendance upon the Court— or most of them would leave during the 2nd week of the term. And I could not write that there would exist that necessity for your presence or that your attendance at the Court would so pertinent to you as if you could have attended the 1st or 2nd weeks of the term—

Most of the *Non* resident Lawyers have left— The Grand Jury was discharged last week— & we are quietly trying civil causes—

The Lawyers & people were disappointed that you did not attend & expressed their regret unreservedly—

I hope that I will be able to close the term this week, but rather doubt my ability to do so—

I am Sir

Very truly Yours

G. W. Brooks[27]

---

[26] Daniel Reaves Goodloe was born in Louisburg, North Carolina, on May 28, 1814; was educated at the "old field" schools and at Louisburg Academy; and was a printer's apprentice for two and a half years. His newspaper, *The Examiner*, soon went broke, leaving him in debt. He then read law and began to practice at Louisburg, but as clients did not come he moved to Tennessee after two years and later migrated to Washington, D. C. For a while he was assistant editor of the *Whig Standard*, and when it failed he edited the *Georgetown Advocate*, and then he was associate editor of the *National Era*, an outstanding anti-slavery paper in Washington. He became a noted anti-slavery leader, and when the *Era* failed in the first part of the Civil War, he was a Washington correspondent of the *New York Times*. In 1862 Goodloe became chairman of the committee to pay out $1,000,000 for liberated slaves in the District of Columbia. He was assistant editor of the *Chronicle* for some time after this until he went to North Carolina in 1865 as United States marshal. When Grant became President he was removed. He later returned to Washington where he compiled *The Birth of the Republic* and *A Synopsis of Debates in Congress for a Century*. In 1900 he was again living in North Carolina. *National Cyclopaedia of American Biography*, X, 71.

[27] See above, page 237, note 24.

PART XII

OTHER LETTERS

Letters to Lyman Trumbull

The papers of Lyman Trumbull of Illinois, purchased by the Library of Congress in 1906, number approximately 3,700 pages and are bound in seventy-seven volumes. These letters begin in 1855, when Trumbull took his seat in the Senate, and continue until 1872. The greatest number of manuscripts found in any one year are for 1861, but the political campaign of 1872 also contributed a large proportion. There are few papers for the years 1863 and 1870.

Private correspondence comprises almost the entire collection. It relates for the most part to his services as United States Senator, but there are a few letters from the Southern states from those who favored the Republican rule. Many of his letters are from leaders in the party such as Charles Sumner, Stephen A. Douglas, William Herndon, S. P. Chase, John G. Nicholay, Zachariah Chandler, Lydia M. Child, Preston King, Simon Cameron, Joseph Medill, J. W. Grimes, Horace Greely, John G. Palmer and John Pope.

Advertising rates reasonable. *Subscription,* $2.00 *per . annum.*

OFFICE OF
THE BATTLEBORO ADVANCE.[1]
Charles A. Camp, *Publisher*
Cicero W. Harris, *Editor.*

Battleboro, N.C. Jan 30, 1872.

Hon. Lyman Trumbull.[2]

Dear Sir:

I take the liberty of enclosing herewith two articles on current politics, prepared by myself as editorial contributor of the journal in which the articles appear.

---

[1] *The Battleboro Advance* was published from 1870 to 1873. It was the only paper ever published in the town. *Union List of Newspapers*, p. 498.

[2] Lyman Trumbull was born in Colchester, Connecticut, on October 12, 1813, and died in Chicago, Illinois, on June 25, 1896. He attended Bacon Academy; taught school in Connecticut from 1829 to 1833; studied law, was admitted to the bar, and began to practice in Greenville, Georgia; moved to Belleville, Illinois; and became a member of the state house of representatives in 1840. He was secretary of state in Illinois in 1841 and 1842; served as justice of the supreme court of Illinois from 1848 to 1853; was elected as a Republican to the Thirty-fourth Congress in 1854, but before the beginning of Congress was elected to the United States Senate; was reëlected in 1861 and 1867, and served from March 4, 1855, to March 3, 1873; resuming the practice of law in Chicago; was unsuccessful candidate for governor on the Democratic ticket in Illinois in 1880; but as long as he lived he was a force in Illinois politics. *Biographical Directory of the American Congress, 1774-1927*, p. 1629.

The views I, as an humble individual hold, are identical with those entertained by large numbers of the representative men of my State and section. The war once waged over abstractions has given place to a struggle between those who desire practical reforms in the administration of the Government and those who are opposed to making these reforms. With us, even the nomenclature of existing parties is lost in the great and absorbing issues of the day. We have watched with deep and ever-increasing interest the Liberal movement in the Northwestern States,[3] and most of us have favored what is termed the Passive Policy, though, fearing that our endorsement might impede that patriotic movement, our press and public men for the most part have maintained a degree of reticence incompatible with their true impulses and the feelings of the people of the Southern States.[4]

I remain, Sir, with much respct,
Your humble and Ob't Servant.
Cicero W. Harris.[5]

Charlotte N. C.
Febr 9th 1872

Hon. Lyman Trumbull

Dear Sir

Having once asked & recd a favor come again to you, this time to crave the favor of one of Prof. Clarence Kings[6] Reports upon the Geology of the Rocky Mts.

I spent 3 years upon the Location of the Pacific Railways & would like one of those Reports.

Senator I have just been upon a long trip from N. Y. to Memphis, Chattanooga Mobile & back viz. Atlanta, & have talked with many of the best men in the South. The people only ask for an honest Administration & were you to accept the nomination you would receive almost the entire vote of the South.

---

[3] Early in 1872 Trumbull and other leading liberals who favored clean politics came out for the liberal Republican movement. Trumbull was suggested as the candidate and the Cincinnati convention demonstrated that the party would have to make an independent nomination for the machine was certain to push and nominate Grant. Trumbull had been an excellent Senator and would have made a strong candidate, but Charles Francis Adams was the best candidate. A great mass meeting was held and a real delegated convention was worked up which met in Cincinnati, Ohio, on May 1, 1872. They made an excellent platform and proceeded to vote on nominees. On the first ballot Adams had 203, Greeley 147, Trumbull 110, Gratz Brown 95, David Davis 92, and Governor Curtin and Chase each received a few votes. On the sixth ballot Greeley had 332 to Adams 324. After many switches Greeley had 482 to 187 for Adams. Gratz Brown was then nominated for Vice President. James Ford Rhodes, *History of the United States*, VII, 37-45.

[4] In North Carolina the liberal Republican movement did not gain much headway, though it is true that several men favored the movement and some few worked for it in the states. Perhaps the best known leaders for it were H. H. Helper and Daniel Reaves Goodloe. J. G. de R. Hamilton, *Reconstruction in North Carolina, passim.*

[5] The editor has been unable to identify Cicero W. Harris any more than he identifies himself in this letter.

[6] Clarence King was born in Rhode Island on January 6, 1842; graduated from Yale University in 1862, and the next year crossed on horseback from the Missouri River to California where he joined the geological survey of that state and continued in the work until 1866, chiefly in the high Sierra and gold belt. His palaeontological discoveries furnished the evidence on which rests the determination of the age of the gold-bearing rocks. On his return to the East he organized an elaborate plan for a complete geological section of the western Cordillera system at its widest expansion on the fortieth parallel. The Union and Central Pacific railroads were to run through this region. It was thought that the land should be settled before the roads were actually built. The plans received the sanction of the chief of engineers and of the

This may seem strange to you, but it is *honestly* true. Not because you are as they Expect you to be other than a true Republican, but that they hope for an honest Man.

I sincerely hope, as a long time admirer, & friend of yours, that you will receive the nomination (& accept the same) of President of a United Republic.

Very Respectfully Yours
J. O. Hudnutt[7]

Warrenton N.C. April 3d 1872

My Dear Sir

I write to inform you that I received the Documents you sent me a few days ago and are [*sic*] under many obligations to you for the same

A meeting was held in this place on Saturday the 30th ult. for the purpose of appointing Delegates to the Cincinnati Convention.[8] The following are a list of the Delegates Viz, Hon. Daniel R. Goodloe[9] Alex M. Boyd and James M. Ransom. The last two are Colored though they are very intelligent men,both of them

My respects to Mr. Jno. D. Defrees,[10] I will write to him soon.

Yours Very truly
Wm Cawthorn[11]

Hon L. Trumbull
U.S.S.
Washington
D.C.

Secretary of War, and in March, 1867, after the necessary legislation was secured King was given charge of the expedition. With a large civilian staff of engineers he pursued this work in the field from 1867 to 1872. His reports were published from 1870 to 1878, under the title "Professional Papers of the Engineer Department, U. S. Army," in seven quarto volumes and two atlases. His exposure of the fraudulent diamond-field in 1872 was characteristic. These stones had been purchased in London and carefully "planted" in various parts of the West. In 1878 the national surveys then in the field, organized under different departments of the government, were, at his suggestion, consolidated under the United States Geological Survey, and the directorship was given to King. He accepted with the understanding that he would remain in the work only long enough to appoint the staff, to organize the work, and to outline its policy. He resigned in 1881, and devoted his time to special geological investigations. He held membership in a host of societies and organizations and was a writer of much ability. He had great endurance, but he often had serious breakdowns. Financial losses in 1893-94 temporarily unbalanced his mind to such an extent that he spent several months in an asylum. In 1901 an attack of pneumonia resulted in tuberculosis which caused his death on December 24, 1901. *Appleton's Cyclopaedia of American Biography,* III, 545; *Dictionary of American Biography,* X, 384-386.

[7]Since J. O. Hudnutt was not a Federal office holder in the state and apparently only a temporary resident in North Carolina, the editor has found it impossible to identify him.

[8] The Cincinnati convention in 1872 was the convention of the liberal Republicans. Rhodes, *History of the United States,* VII, 37-44.

[9] Daniel Reaves Goodloe was born in Louisburg, North Carolina, on May 28, 1814; was educated at "old field" school houses and at Louisburg Academy; was apprenticed to a printer at Oxford for some time; published the *Examiner* there for a while, but all he got out of it was experience and debt; read law and practiced in Louisburg for a couple of years; but when very few clients came he moved to Tennessee and then to Washington, D. C. Here he soon fell in with the anti-slavery faction; worked for two or three papers here; and was made chairman of a committee to distribute over $1,000,000 to pay for the freed slaves in the District of Columbia. The committee sat for nine months and awarded pay for 3,000 slaves. In 1865 he became United States marshal for North Carolina, and located again in the state. He fell out with the Republicans and Grant on account of the carpetbaggers of the state. After giving up his position in North Carolina he returned to Washington where he engaged in writing. In 1900 he was living in North Carolina, but died on January 18, 1902. *National Cyclopaedia of American Biography,* X, 71; *Dictionary of American Biography,* VII, 390-391.

[10] John Dougherty Defrees was born in Sparta, Tennessee, on November 8, 1811, and died in Berkeley Springs, West Virginia, on October 19, 1882. In 1818 he was apprenticed by his father to a printer in Ohio and at the same time began the study of law. He was

A LETTER TO THADDEUS STEVENS

Lexington N. C. March 4th/ 67

Hone Thaddius Stepens[12]
40th U S. Congress

Dear Sir, The loyal people of North Carolina, hail the passage of the reconstruction Bill[13] with feelings of Joy & look to it as fully adequate to protect the loyal Men of the rebel States. If carried into effect, to the strict letter of the Bill, and we think that it will fully purge the Govt of disloyalty, Provided the Authorities of the Govt will not enfranchize the rebels too soon, If they can be kept out of power, and are not suffered to have any part in reconstructing the rebel States, we think the elements of Sesession and disloyalty Can be fully eradicated, but should they be permitted to continue in office, hold the reins of State Government, they will have to die the second death, But if the bill as passed by Your Hone body is fully adhered to, and the State Govt suspended, and the rebel legislatures dissolved by the Military Commanders of each district, or your Hone body, we think, then, the persecutions and denouncements against Congress, and Union men, will cease, and not until then and then, Union Sentiments will be respectable in North Carolina, But if they are permitted still to hold offices of the State Govt and legislate for the same, we need not look to the future with much hope, The legislative body of North Carolina have adjourned to day to meet again in May as we understand for the purpose of passing a convention bill by which the State is to be reconstructed Now we only ask that justice be done, and we can speak with confidence without the fear of contradiction, that three-fourths of the present legislative body are diametrically opposed to the Congress of the United States have and will in the future, if permitted by Your Hone body, legislate in that direction which will tend to make Union sentiments dishonorable and Cesessin [*sic*] honorable. And we the loyal people of North Carolina, Who have stood up for the Congress & republican party, having passed through a four years war, and two years unparaleled persecution since the surrender on account of our devotion to the Union, Humbly ask Your Hone body, Not to permit the present rebel legislature to have any part or parcel of reconstruction, for we are Confident they have no sympathy for Your Hone Congress any of its acts, for every man in North Carolina who defended the Howard Amendment or the acts of

---

admitted to the bar in Indiana in 1836, having removed to that state with his brother a few years before to establish a newspaper. He was soon elected to the legislature and was several times reëlected. In 1844 he resigned his seat in the state senate and bought the *Indiana State Journal*, a weekly periodical published in Indianapolis. He soon made it a daily and edited it for several years He allied himself with the Republicans after the death of the Whig party; was chairman of the first state Republican committee from 1856 to 1860; was well known by the leading men of the party at that time; and was appointed by Lincoln to the office of government printer which position he filled for many years. *Appleton's Cyclopaedia of American Biography*, II, 124.

[11] William Cawthorn was a Negro politician of Warren County, North Carolina. He was elected to the house of representatives of the state from Warren County in 1868 and 1870. *North Carolina Manual, 1913*, pp. 838, 862.

[12] This letter should have been included with the Thaddeus Stevens letters, published in *The North Carolina Historical Review*, XVIII (1941), 171-195, but it was found later. For a discussion of the Stevens papers in the Library of Congress and a character sketch of the man, see the introduction to those letters.

[13] For a full discussion of the Reconstructilon bill see *The North Carolina Historical Review*, XVIII (1941), page 183, note 35, and page 193, note 61.

Congress, have been denounced in unmeasurable terms, As being "free Negro equalizers" and "Radicals" especially all the friends of Mrssors. [*sic*] Stephens, [*sic*][14] Kelly,[15] Sumner,[16] Wilson[17] & Others, In fact they are down on the whole republican Party to all interests and Purposes.[18]

Now, after the Republican Party has fought down the rebellion, Preserved the Union, and have restored Peace and tranquility to the Nation, We hope Your Hon^e body will not Permit rebel legislatures to Participate in reconstruction. If they are permitted so to do ,"butternuts[19], , "Cesesh, , Modern "Democracy, , and latter day War Saints, , will hold the Offices of the Country, Union men will be crushed out, But we hope for better things, and we do fondly hope that the latter class may not be permitted to have rule in any way and that they will not be pardoned too soon for premature pardons has only emboldened them, "because judgment upon evil doers is not executed speedily, therefore the hearts of rebels are fully set in them to do evil, , ,

The Bill passed by Congress,has had a salutary effect upon the Country, and has caused Cesesh in some measure to cease to dictate their own terms of the States being restored to her federal relations with the American Union, And we state the matters of fact set forth here, being present four

---

[14] Thaddeus Stevens (April 4, 1792-August 11, 1868) was born in Vermont and died in Washington, D. C. After graduating from Dartmouth College in 1814, he moved to Pennsylvania where he studied law and entered upon his career, which was not so much legal work as politics. He was sent to the legislature four times and then served in Congress from March 4, 1849, to March 3, 1853, and from March 4, 1859, until his death. *Biographical Directory of the American Congress, 1774-1927,* p. 1568.

[15] William Darrah Kelley was born in Philadelphia on April 12, 1814; pursued a classical education; was apprenticed to a jewelry establishment; worked in Boston as a jeweler; and returned to Philadelphia where he studied law and was admitted to the bar. He was deputy prosecuting attorney for the city and county of Philadelphia in 1845-46; served as judge of the court of common pleas for Philadelphia from 1846 to 1856; was a delegate to the National Republican convention in 1860; and served in Congress as a Representative from March 4, 1861, until his death in Washington, D. C., on Jauary 9, 1890. *Biographical Directory of Congress,* p. 1171.

[16] Charles Sumner was born in Massachusetts on January 6, 1811; graduated from Harvard University in 1830 and from Harvard Law School in 1833, and engaged in the practice of law, lecturing at Harvard, travelling in Europe, and engaging in politics. He helped found the Free-Soil party in 1848; and then served in the Senate from April 24, 1851, until his death on March 11, 1874. He was the Senate leader in radical Reconstruction. *Biographical Directory of Congress,* p. 1586.

[17] Henry Wilson was born in New Hampshire on February 16, 1812; changed his name from Jeremiah Jones Colbaith to Henry Wilson; became a shoemaker; taught school; served in the state senate; was an editor; served in the Senate from January 31, 1855, to March 3, 1873; and was Vice President from March 4, 1873, until his death on November 22, 1875. *Biographical Directory of Congress,* p. 1713.

[18] In fact the legislature in North Carolina in 1866-67 was composed largely of old-time Whigs and was very conservative. It rejected the Fourteenth Amendment to the Constitution, hence it could do nothing but await events. After Congress took up Reconstruction and took it out of the hands of the President, the legislature could do nothing more until word came from Congress. J. G. de R. Hamilton, *Reconstruction in North Carolina,* pp. 182-190.

[19] *Butternuts* as well as other terms were often used in the South as names of reproach for the Democrats or leaders of secession, and in the North for those opposed to the war. The more general term used was *copperheads.* They were encouraged by the Democratic success in 1862. They urged restoration of the Union by negotiation and not by war; denounced conscription, military arrests, emancipation, and other war measures; and were especially troublesome in the Northwest and in certain other sections of the North. C. L. Vallandigham of Ohio, Alexander Long, Fernando Wood, and B. G. Harris were noted leaders. In 1862 they organized the "Knights of the Golden Circle," changed to the "Order of American Knights" in 1863 and to the "Sons of Liberty" in 1864. They controlled the Democratic party in 1864 and put into the platform a plank, written by Vallandigham, denouncing the war as a failure and demanding peace on the basis of a restored Union. James Truslow Adams, *Dictionary of American History,* II, 57-58.

years in war two years since the surrender, the practical operations. by rebel leaders and rebel legislatures as the statute books will show and facts undeniable

We have the Honor to be

Your Obt Servts

W. F. Henderson[20]
H. Adams
George Kinney
P. A. Long
George Riley.

THREE LETTERS TO EDWARD MCPHERSON[21]

OFFICE OF THE NORTH CAROLINA STANDARD,

Raleigh, Dec. 16th 1870

Hon. Ed McPherson,[22]
Clerk House Representatives:

Sir:

Yours of the 14th inst., informing that the *Standard*[23] has been selected to publish the acts and Resolutions of Congres, and such public treaties as are entered into between the United States and either nations, has been received. Thanking you for the favor conferred. I inform that I accept the proposition and will publish the laws in conformity with your com-

[20] William F. Henderson "who stole Darr's mule," or "who was acquitted of stealing Darr's mule," as characterized by Josiah Turner, was a unique figure in North Carolina politics. In 1868 he was president of the Heroes of America, and his address to them on August 26, 1868, was a masterpiece and must have been written by someone else, for Henderson was almost illiterate. He was nominated for Congress in 1868, but in the political squabble withdrew in favor of I. G. Lash, the sitting member, and, after seventy ballots in 1874 he was nominated as a sacrifice candidate, for it was known that the Democrats would win. He attended the famous Pool-Holden meeting on June 8, 1870, when it was decided to send Kirk against the Ku Kluxers. He was Holden's trusted adviser and wrote him that Kirk's movement was necessary for the success of the party and for his (Holden's) advancement. He was assessor of internal revenue and offered freedom to any Ku Kluxer who would give evidence implicating J. M. Leach, who had defeated him for Congress. Although he was uneducated, almost illiterate, and not of the type that had any interest in education, he did a notable work in helping to rebuild the University of North Carolina after the close of the war. Hamilton, *Reconstruction*, pp. 274n, 281, 364, 367, 497, 505, 580, 601, 623.

[21] These three letters really belong with the McPherson letters, published in *The North Carolina Historical Review*, XIX (1942), 187-208, but as they are in the Edward McPherson Papers, Special Collection, acquired by the Library of Congress after those letters were published, they were not published with those letters. For an account of the McPherson Papers in the Library of Congress and other information about McPherson, see *The North Carolina Historical Review*, XIX (1942), 187, 188.

[22] Edward McPherson (July 31, 1830-December 14, 1895) was born in Pennsylvania. He attended the public schools and Pennsylvania (now Gettysburg) College. For some time he studied law, but changed to journalism, and most of his life was connected with various newspapers. He served in the House of Representatives from 1859 to 1863, but was defeated in 1862. He was clerk of the House of Representatives from 1863 to 1875, 1881 to 1883, and 1889 to 1891. He was of great assistance to the Speaker in directing him in parliamentary procedure. On December 4, 1865, as clerk of the previous House he called the new House to order and then called the roll. Amidst great confusion and excitement he executed the decision of a Republican caucus agreed on two days before: that the newly elected members from the South should not be seated or even given the status of contestants. He refused to listen to any protests from the newly elected members from the South on the ground that only those whose names he had called would be permitted to speak. In 1860 he was on the National Republican committee; was permanent chairman of the convention in 1876; and was secretary of the Republican Congressional committee in 1880. For some time he served as chief of the bureau of printing and engraving, but soon returned to Gettysburg where he edited a newspaper. He was the editor of the *New York Tribune Almanac and Political Register* from 1877 to 1895. He is best known for his *Political History of the United States of America*

munication. Mr. J.C.S. Harris will be entitled to the compensation. I have notified the Department of State of the acceptance.

Very truly Yours,

J.C.L. Harris.[24]

Hon. Edward McPherson,
Washington, D. C.

Office "Pioneer"[25]
Asheville, N.C. Dec. 19/ 70

Dear Sir:

We are in receipt of your communication, notifying us, that the "Pioneer" had been selected for the "publishing such acts and resolutions passed during the Third Session of the Forty-First Congress: and, also, such public treaties entered into and ratified by the United States as may be selected by the Secretary of State"

We shall discharge the duty to the best of our ability, and in accordance with the directions contained in your communication

Respectfully

Pinkney Rollins[26]

Ed & Prop "Pioneer"

During the Great Rebellion; Political History of the United States During the Period of Reconstruction; Political Manual, published annually from 1866 to 1869; and *Handbook of Politics*, published biennially from 1868 to 1894. *Dictionary of American Biography*, XII, 159-160.

[23] *The North Carolina Standard* was Holden's newspaper and the organ of his party. It is doubtful if many small newspapers took such an active part in politics during Reconstruction as did the *Standard*. Just before the contest began William E. Pell, a former assistant of Holden, started the *Sentinel*. It soon became the organ of the anti-Holden faction. These two papers carried on a continuous scrap during Reconstruction. Between 1834 and 1870 *The Standard* was a weekly. It was also a daily from 1865 to 1870, and part of the time there was also a semi-weekly *Standard*. It often changed its name slightly. J. G. de R. Hamilton, *Reconstruction in North Carolina*, pp. 118-119, *passim; Union List of Newspapers*, p. 507.

[24] Little is known about J. C. L. Harris except that he was connected with the radical Republicans and was made assistant assessor of internal revenue with no other than political duties. Hamilton, *Reconstruction*, p. 588.

[25] On May 16, 1866, the *Henderson Pioneer*, backed by some of the leading Republicans in Buncombe and Henderson counties, made its appearance as the organ of the Republican party in that section of the state. It was one of the two papers first designated by Edward McPherson to publish the laws and legal advertisements of the United States. It had a rather short existence. It was a weekly news sheet. The *Asheville Pioneer* was also a weekly newspaper which began its operation in June, 1866, and died in 1879. These papers were under the same men, such as A. H. Jones, Pinckney Rollins, and E. R. Hampton, with the last two men acting as editors at various times. *The Asheville Pioneer* was a large six-column newspaper and usually had four pages and made a good appearance. *Union List of Newspapers*, pp. 498, 502. See also the papers themselves in the Library of Congress; Edward McPherson Papers, Library of Congress, *passim*.

[26] Pinckney Rollins was nominated by Grant for internal revenue collector for the seventh North Carolina district, on March 31, 1869. The nomination was referred to the committee on finance on April 3, was favorably reported on April 5, and was confirmed on April 7. According to one report he was born in South Carolina and according to another he was born in North Carolina. At any rate he was in North Carolina when the appointment was made and was employed in Asheville at a salary of $1,500 per annum. In 1873 he was still in the office. For some time he was editor of the *Pioneer* and then E. R. Hampton edited it for some time and Rollins seems to have taken it back. The last number which contains his name as editor is that of August 29, 1874, and the issue of September 5 lists Rollins as editor and proprietor. In this issue Hampton gave his valedictory editorial and Pinckney Rollins, upon again becoming editor and proprietor, issued his salutatory editorial. Hampton was solicitor for a short time. The main purpose of the paper seems to have been to secure political printing. *Senate Executive Journal*, XVII, 1869-71, pp. 71, 74, 79, 87, 99; *United States Official Register*, 1869, p. 85; 1873, p. 83; files of the *Pioneer* in the Library of Congress; Edward McPherson Papers, Library of Congress, *passim*, especially, for December 6, 1873, November 30, 1874.

UNITED STATES DISTRICT COURT,
DISTRICT OF NORTH CAROLINA,

At Chambers at Elizabeth City.
Febry 3d 1872

E McPherson Esq
Clerk House Rep

Sir

Yours of 31st Jany- informing me of the Designation by you of the North Carolina Era[27] published at Raleigh N C. in the place of the Asheville Pioneer as one of the newspapers in which to publish the Laws of the U States & notices required to be published by order of the District & Circuit Courts of the U States for the Dist of N Carolina, has been received-

It will be my pleasure as it is my duty to make such orders as may be required under the Act of 2nd of March 1867.

Your Obt Servt

G W Brooks[28]
U States Dist Judge

A LETTER TO BENJAMIN FRANKLIN WADE

Benjamin Franklin Wade was born in Feeding Hills, Massachusetts, on October 27, 1800; received his early education from his mother; moved with his parents to Andover, Ohio, in 1821; taught school; studied medicine in Albany, New York, 1823-1825; returned to Ohio; studied law; and after admission to the bar in 1828 he began to practice in Jefferson, Ashtabula County, Ohio. He was prosecuting attorney for the county from 1835 to 1837; was in the state senate in 1837 and 1838; was president judge of the third judicial court of Ohio from 1847 to 1851; served in the Senate from March 15, 1851, to March 3, 1869, first as a Whig and then twice as a Republican; but he was defeated for reelection in 1868. He was president *pro tempore* of the Senate from March 2, 1867, to March 3, 1869; was a delegate to the Southern Loyalists convention in Philadelphia in 1866; was considered for Vice-President by the Republicans

[27] *The North Carolina Era* was a tri-weekly from 1871 to 1876; a weekly from 1871 to 1877, and a daily from 1872 to 1873. It was published at Raleigh and was in the hands of the Republicans. *Union List of Newspapers*, p. 505.

[28] George Washington Brooks (March 16, 1821-January 6, 1882) was born in Elizabeth City, North Carolina. After attending Belvidere Academy he studied law; served in the legislature in 1852; was in the convention of 1865-66; and allied himself with the Union men. His friendliness with the administration in Washington led President Johnson to name him United States district judge in August, 1865, which nomination was confirmed on January 22, 1866. The conduct of the office until his death was marked by sound judgment and industry. When Holden in 1870 invoked martial law in two counties of North Carolina, proposed to try the offenders by a military court, and treated the state supreme court with contempt, those arrested took their cases to Brooks, who immediately issued writs of *habeas corpus*. This was the first time the Fourteenth Amendment to the United States Constitution was invoked to protect white men. *Dictionary of American Biography*, III, 77.

in 1868; returned to his legal practice in Jefferson, Ohio, in 1869; and was appointed a government director of the Pacific Railroad. He also served as a member of the Santo Domingo Commission in 1871; was chairman of the Ohio delegation in 1876; and died in Jefferson, Ohio, on March 2, 1878.

The Wade papers in the Library of Congress form a small collection in comparison with the outstanding collections of papers. They are mainly from the leading Republicans of his day and a few from the Republicans of the South during Reconstruction. He was not a man to whom the people in the South turned for office or for money for campaigns.[29]

CONSTITUTIONAL CONVENTION OF NORTH-CAROLINA

Raleigh, Feb'y 13th 1868.

Hon. B. F. Wade—

Sir:

Senator Sherman's Alabama Bill has just reached us.[30] In view of our defeat in that state might it not be well to defer action upon that till after the election in other states? If this is done the inaction policy will be adopted everywhere, otherwise they will do their best to *vote* down the constitutions and may succeed in some.

Please consider the chances.

Yours Respectfully

A. W. Tourgee[31]

---

[29] Wade papers in the Library of Congress; *Biographical Directory of the American Congress,* 1774-1927, p. 1653.

[30] Alabama went ahead and made her constitution just as the other states, but according to the provisions of the Reconstruction act a majority of the registered voters must vote at the election on ratification. The people were told to register and then refrain from voting. There were about 170,000 registered and only 70,812 voted for the constitution and 1,005 voted against it. After this happened the Reconstruction act was amended so as to provide that only a majority of those voting at the election had to vote in favor of the constitution. Mississippi then voted down her constitution. Nevertheless Alabama, along with five other states, on June 25, 1868, was declared reconstructed. She was in this way saddled with a constitution which her people had failed to ratify. William Archibald Dunning, *Reconstruction, Political and Economic,* pp. 118-119.

[31] Albion Winegar Tourgee was born in Ohio on May 2, 1838; studied at Rochester University, 1859-61; served in the Union Army from 1861 to 1865; settled at Greensboro, North Carolina, as a lawyer, editor, and farmer; favored governing the South as territories and not according to the Reconstruction plan of Congress; prepared the report for the Southern Loyalist convention in Philadelphia on conditions in the South; was an active member of the constitutional conventions in North Carolina in 1868 and 1875; served on the committee to codify and revise the laws of the state; and served as superior court judge by election from 1868 to 1874. He made a good judge except when politics entered in and then he could not be fair. He was made pension commissioner for the state in 1876. He published the *Union Register* in Greensboro from 1866 to 1867, and *The Continent* in Philadelphia from 1882 to 1885. In addition to his legal works he was quite a prolific writer. His best work is *A Fool's Errand, by one of the Fools.* No less than 135,000 copies of this work were sold in 1879. *Appleton's Cyclopaedia of American Biography,* VI, 143-144; J. G. de R. Hamilton, *Reconstruction in North Carolina, passim.*

BOOK REVIEWS

DOWN HOME. By Carl Goerch. (Raleigh: Edwards and Broughton Company. 1943. Pp. 375. $3.00.)

Mr. Goerch does not claim this volume to be a history, although it records many historical facts and gives a historical sketch of every North Carolina county. The first two hundred pages of this very entertaining book are devoted to thirty-eight stories of historical events and personalities, humorous anecdotes, and human interest stories. Many of these sketches have appeared in the columns of Mr. Goerch's paper, *The State,* during its decade of existence and quite a number of them have been discussed by the author in his radio broadcasts. All of the stories make good reading, but those which appeal to the reviewer most are: "The Two Governors," "The Brown Mountain Lights," "Odd Words and Expressions," "The First Airplane Flight," "North Carolina's Hall of Fame," "Most Interesting Thing in Each County," "Good Things to Eat," "Peter Stuart Ney," "Senator Simmons' Own Story," and "The Zipper Story."

In the story of "The Two Governors," John Motley Morehead of North Carolina and J. H. Hammond of South Carolina, Mr. Goerch answers the famous question: "What did the Governor of North Carolina say to the Governor of South Carolina?" The answer is: "It's a damn long time between drinks."

"The North Carolina Hall of Fame" consists of twenty names chosen by R. C. Lawrence, with reasons given for each selection. The list is: Richard Caswell, James Iredell, Sr., William R. Davie, Joseph Caldwell, Nathaniel Macon, Archibald D. Murphey, John M. Morehead, William A. Graham, James C. Dobbin, David L. Swain, Thomas Ruffin, Zebulon B. Vance, Josiah Turner, Jr., Walter Hines Page, Leonidas L. Polk, Walter Clark, Charles D. McIver, Charles B. Aycock, Daniel A. Tompkins, and James B. Duke. Students of North Carolina history may disagree with some of these selections, although most of them will meet with approval. Mr. Lawrence and Mr. Goerch have a right to their opinion and, of course, North Carolina has no Hall of Fame.

In preparing the sketch on "The Most Interesting Thing in Each County," Mr. Goerch says he "put down the first thing that popped into my mind when the names of these counties were suggested." The author is entitled to his opinion, although one

wonders if the Hall of History is the most interesting thing in Wake, the Nash house in Orange, and Fairntosh in Durham.

The twenty-eight page chapter on "Senator Simmons' Own Story" is the longest and most valuable historical sketch in the whole book. This story is based on an interview the author had with Simmons in 1933 and contains some facts relative to Simmons' long public career not available elsewhere. Students on North Carolina history will find this chapter intensely interesting.

The "Zipper Story" was first published in *The State* in 1937 and is one of the most amusing stories ever told or printed by Mr. Goerch.

One of the best stories in the book relates to Aunt Emma, a Negro mammy in Washington, who was asked to explain how she looked so young at the age of eighty-five. The old woman replied, "Well, I'll tell you, Mr. John. Hit's disaway: When I works, I works hard; when I sets, I sets loose, and when I worries, I goes to sleep."

The reviewer wishes he could end his appraisal here and do as Aunt Emma, but he has an obligation to review the latter part of the book, which contains historical sketches of North Carolina's one hundred counties. Mr. Goerch admits that he is laying himself "wide open to a lot of criticism" and he aptly labels this section "A Rather Difficult Undertaking." The task of writing accurate history is extremely difficult for the trained historian; it is almost impossible for the layman.

In the county "summarization," there are sundry exaggerated statements and scores of outright errors. Limitations of space require the sampling method. There are over twenty errors in the dates of the creation of counties. Most of these are errors of only a year or two, but Brunswick is twenty-seven years off and Hertford fifty-seven years. The battle of Alamance was *not* "armed resistance against England" (p. 209). The Regulators were defeated by North Carolina militiamen, not by British redcoats. The title "British Board of Trade and Colonial Affairs" (p. 221) is incorrect. Charles Eden was a proprietary, *not* a royal governor of North Carolina, and the *correct* title of Edenton in early days was The Town on Queen Anne's Creek. (p. 239). *Neither Craven* (p. 247) *nor* Hyde (p. 291) were "original precincts." The original "Craven County" was in present South Carolina. Chatham County did not miss having the State Capitol by *one* vote (p. 237); neither did Fayetteville miss

it by *one* vote (p. 252). Was Lincolnton the site of the *South's* first cotton mill (p. 302)? Was De Graffenried imprisoned by the Indians for six months (p. 275)? Was the *first* normal school in the United States established in Rowan County (p. 343)? Did Williamsboro "lose out by only one vote" as the site for the University of North Carolina (p. 359)? Does research "prove beyond a doubt" that Andrew Jackson was born in North Carolina (p. 358)? Whose research? The author calls John Chavis a Negro, but he refers to St. Augustine and Shaw as colleges for "colored students." Why shouldn't these institutions be called "Negro colleges?"

It is easy to explain some of Mr. Goerch's errors. John H. Wheeler's *Historical Sketches of North Carolina* seems to have been one of his chief authorities. When Wheeler's volume was first published one reviewer expressed the opinion that "this book probably has more errors in it than any history book ever written."

In spite of numerous errors of fact, and in spite of the optimistic and uncritical interpretation of North Carolina history, *Down Home* is readable. Some two hundred excellent illustrations add greatly to the value and interest of the book. It is to be regretted that there is no index.

HUGH T. LEFLER.

THE UNIVERSITY OF NORTH CAROLINA,
CHAPEL HILL.

THE ROAD TO SALEM. By Adelaide L. Fries. (Chapel Hill: The University of North Carolina Press. 1944. Pp. x, 316. $4.00.)

Over a period of years Miss Fries has distinguished herself as an expositor and interpreter of Moravian history and culture, producing numerous scholarly and popular contributions too well known to call for further comment here. In these she has consistently shown three characteristics—an authoritative command of information based upon painstaking research, an essentially human sympathy which rises above the sentimental affection one naturally feels for one's own spiritual and genealogical ancestors, and a meticulous respect for fact which makes her work of more than passing value. It is upon the interplay of these three qualities that the significance of *The Road to Salem* rests.

The book itself is essentially an autobiography of a woman and a biography of a settlement. The early Unitas Fratrum—better known as the Moravian Church—encouraged the keeping of personal diaries on the part of its members. One of these—richer than usual in historic interest and spontaneous intimacy—forms the core of Miss Fries' narrative. In 1759 Catharina Kalberlahn and her husband set forth for the new Moravian colony on the frontier of Carolina. As a daughter of Henry Antes Catharina had seen the beginnings of the Moravian settlements in Pennsylvania; now she was to witness the growth of the southern colony from a stockaded village into a miniature metropolis of the frontier. As her own life developed, so grew the colony—both focussed about devotion to their God and to their church. Miss Fries, as translator of the diary from the German, has woven into and about it additional information drawn from "diaries and other records kept by leaders of the Moravian Church in Georgia, Pennsylvania, and North Carolina. . . . It is not fiction with a background of history, but a recital of things that really happened . . . and, if it were desirable, line and page reference could be given for each item."

Such a work is necessarily both more and less than a historical novel. If, at times, the free flow of the narrative seem interrupted or its dramatic intensity impeded, it is because of the very fidelity of the work and the wealth of authentic information supplied. Much has been written and said about the Moravians in a theoretical or historical way. Here we come to know them intimately, personnally—through the living, feeling, and thinking of one of their own. Their ideology, enterprise, and achievements—yes, even their weaknesses—are here brought to focus in the intimacy of a single life.

The great figures of the Moravian Church in America and several of the colonial leaders of North Carolina pass before us, not as historic personages, but as persons who come and go in the course of daily living. The stress of religious ferment in colonial Pennsylvania, the tough hardship of exploration and colonization on the virgin frontier, the baleful threats and horrors of Indian raids, the lawlessness of the Carolina "Regulators," the moral, economic, and political unrest of the American Revolution are portrayed with all the quiet conviction of those who moved among them. Best of all, the life of the Moravians them-

selves stands before us, not as ideology or structure, but as living experience.

Particularly interesting are the diarist's accounts of the ways in which the leaders of the Church and congregation approached and solved specific problems in accordance with their tenets—always bent upon harmonizing their religious traditions with a goodly respect for individual conscience and due regard for the exigencies of the situation. The economic life, the manners and customs, the moral and religious convictions and usages of the settlement are set forth incidentally, but in such a manner as to afford first-hand historical and sociological data. Intimate and direct comments upon the custom of marriage by lot, illustrated by numerous examples, go far toward clarifying this much discussed custom of the group. Finally, as the reader follows Catharina through the years, the time-span of her narrative enables him to watch the subtle but far-reaching changes wrought by times and conditions upon both the ideological motivation and the daily living of her fervent co-pioneers.

EUGENE E. DOLL.

CARL SCHURZ MEMORIAL FOUNDATION,
PHILADELPHIA, PA.

THE OLD VIRGINIA GENTLEMAN AND OTHER SKETCHES BY GEORGE W. BAGBY. Edited and Arranged by his daughter, Ellen M. Bagby. (Richmond, Virginia: The Dietz Press, Inc. 1943. Pp. xxvii, 308.)

This book is the fourth edition of Bagby's collected writings, "which, while embracing all of the material in the previous volume [the edition of 1938], will have the addition (by special request) of 'The Southern Fool—A tough subject treated in a tender way,' . . . an address delivered before the South Carolina Press Association in 1877." It reprints "A Virginia Realist (Preface to the edition of 1938)" by Thomas Nelson Page, and its "Introduction" was written by Douglas Southall Freeman.

Twenty-five years ago it would have been unnecessary to remind Southern readers, or even well read people of this country at large, who George William Bagby was. Today it may be so. Born on a plantation near Lynchburg in 1828, he was educated, first in "old field schools" of Buckingham and Prince Edward counties, then at Edgehill School, Princeton, N. J.,

Delaware College, and the medical school of the University of Pennsylvania. His early years away from the South doubtless conditioned his lifelong attitude toward home scenes and home-folks. After four years of medical practice in Lynchburg, Dr. Bagby discovered his talent for writing and by founding a daily paper, the *Express,* began his significant career as editor, newspaper correspondent, columnist, free-lancer, and lecturer. High points in that career were the first Mozis Addums letter, published in the *Southern Literary Messenger,* which won him a somewhat embarrassing fame; his secretaryship of the Richmond Library Association and the Virginia Historical Society; his editorship of the *Southern Literary Messenger,* at the outbreak of the Civil War; his brief participation as a soldier in the war; his founding, in partnership with A. F. Stofer, of the *Native Virginian,* a "literary and humorous publication"; his production of two of his most famous works, "John M. Daniels' Latch-Key," a biographical study of the editor of the Richmond *Examiner,* and "The Old Virginia Gentleman"; his noble service of interpretation and reconciliation, on lecture tours that took him all over the South and into the North and East. He died in 1883, less than a year after making a plea for reconciliation, peace, and progress to an audience in Trenton, New Jersey.

In the history of American literature, George W. Bagby comes near the end of a line of pioneer humorists, including A. B. Longstreet, William Tappan Thompson, Johnson J. Hooper, Charles Henry Smith ("Bill Arp"), and J. G. Baldwin, who, beginning in the 1830's, founded an authentic, native literature in the South. With them he has much in common—realistic descriptions of the rough manners of our ancestors of the middle years of the nineteenth century, often in dialect and comical spelling. To the vogue created by the earlier writers Bagby owed the success of "Letters of Mozis Addums to Billy Ivvins," the first of which relates the adventures and observations of a Virginia country bumpkin on a visit made by train from "Kerdsvil, Buckingame Cty, Ferginny," to Richmond. Of similar tenor and technique are such sketches as "Meekins's Twinses." ("Bacon and Greens" recalls a poem with the same title and theme, written by Bakus W. Huntington, an Alabamian, in the early 1840's.) Bagby's studies of Negro dialect, character, and psychology, in such pieces as "Uncle Ben Hollins on Whiskey" and "The Old Virginia Negro," rank him among the earliest masters of that

genre. On the whole, too, he was more idealistic, had a more humane sense of humor and pathos than his brother pioneers. This side of him is best exemplified by the titular lecture, "The Old Virginia Gentleman" and by such other sketches or lectures as "My Uncle Flatback's Plantation," "Christmas," and the lovely idyl "Fishing in the Appomattox." Bagby's familiarity with the more developed social and economic life of Virginia made possible mellower essays than the Deep South men could compass. Examples are "Canal Reminiscences," which looks forward to Walter D. Edmond's Erie Canal stories, and "The Sacred Furniture Warerooms," which looks back to the quaintness of Elia and Old London. A few of the essays, like "How Rubenstein Played," are stunt pieces of pure journalistic virtuosity. Two of the lectures have a special topical interest. "The Southern Fool," attacking such aspects of Southern economy as the one-crop system and the South's banking subservience to the North and East, entitles Bagby to the epithet "a man one hundred years ahead of time." To millions of us today, impressed by the vast dislocations of normal life and the tedium brought on by the present war, "An Unrenowned Warrior," modestly recording Bagby's personal experience as a soldier, will have a lively immediacy of appeal. As a whole, Bagby's sketches, stories, and lectures will not seem so funny, so cleverly and delightfully intimate, so original and authentic to North Carolinians or Texans or Californians or Vermonters as they will to Virginians. A large part of their attraction is exclusively "Old Dominion." But they are the product of a very genuine, honest, and original talent. As transcripts of life in a state that is sentimentally and patriotically dear to all good Americans, they will always amuse and please.

The present edition of *The Old Virginia Gentleman* includes thirty-odd attractive and pertinent illustrations and a bibliography of Bagby's writings. In format, typography, and binding, the book is well up to the high standard of the Dietz Press.

A. P. HUDSON.

DEPARTMENT OF ENGLISH,
THE UNIVERSITY OF NORTH CAROLINA,
CHAPEL HILL.

GEORGE FITZHUGH: PROPAGANDIST OF THE OLD SOUTH. By Harvey Wish. (Baton Rouge: Louisiana State University Press. 1943. Pp. ix, 360. $3.00.)

Lincoln's famous "house-divided" speech, one of the tangible causes of sectional tension in the pre-Civil War days, was inspired in part by an aggressive pro-slavery editorial in the *Richmond Enquirer*. The editorial and other widely quoted statements, such as the contention that "slavery, *black or white,* was right and necessary," were prepared by George Fitzhugh, lawyer and essayist of Port Royal, Virginia, who, angered by the abolitionists, had determined to "meet propagandism with counter-propagandism." Climaxing a defensive trend initiated in Virginia by Thomas R. Dew in 1832, Fitzhugh presented his theories in newspapers and magazines, and in the two bludgeoning volumes, *Sociology for the South, or the Failure of Free Society* (1854) and *Cannibals All! or Slaves Without Masters* (1857).

To demonstrate the iniquities of a free, capitalistic society, Fitzhugh borrowed the destructive arguments of the uptopian socialists, but naturally offered as a remedy the Southern system. In the elaboration of his theories, he ridiculed the eighteenth century philosophers. "Men are not 'born entitled to equal rights'!" declared Fitzhugh. "It would be far nearer the truth to say, 'that some were born with saddles on their backs, and others booted and spurred to ride them,'—and the riding does them good. They need the reins, the bit and the spur." These strangely dark ideas paradoxically sprang from a personality gentle and mild in everyday intercourse. Like Garrison in the North, Fitzhugh was less influential in his own section than his antagonists believed.

Dr. Harvey Wish, who in 1938 reviewed Fitzhugh's career in a pamphlet of two-score pages entitled "George Fitzhugh, Conservative of the Old South," now presents a detailed study of Fitzhugh's writings in this, the current volume of the *Southern Biography Series*. The most distinguished feature of the book is the careful analysis of Fitzhugh's philosophy in its relation to the political and intellectual currents of the time, European as well as American. It is not the author's fault that Fitzhugh's life, other than his writings, provides few items of interest. Conspicuous exceptions are two bizzare events: in 1855 Fitzhugh went North to visit Gerrit Smith and to engage in public debate

with Wendell Phillips; at the end of the War, Fitzhugh served as one of the judicial officers in the Freedmen's Bureau of Richmond.

In several historical essays the author has already proved himself a scholar of commendable industry and increasingly broad understanding. This, his first full-length work, is a biography of superior merit, which may profitably be used by classes in Southern history to supplement William S. Jenkins, *Pro-Slavery Thought in the Old South.* The illustrations are of interest, the index is serviceable, and the bibliographical essay when used in conjunction with the footnotes is adequate.

JOSEPH C. ROBERT.

DUKE UNIVERSITY,
DURHAM, N. C.

HISTORICAL NEWS

The North Carolina Society of County Historians met in the Fred A. Olds Memorial room of the Hall of History, in Raleigh, January 28. Dr. Christopher Crittenden, Mr. D. L. Corbitt, Mrs. Ellen Rollins, and Miss Nell Hines, all of the staff of the State Department of Archives and History, took part in the program. Professor Phillips Russell of Chapel Hill was reelected president.

Mount Vernon Baptist Church, Rutherford County, celebrated its one-hundredth anniversary, February 15-18. The church was founded February 17, 1844.

On February 27 Dr. Charles A. Beard spoke at Black Mountain College, criticizing public officials who sell state information for private profit.

The North Carolina divisions of the Daughters of the American Colonists, the Daughters of Colonial Wars, and the Daughters of 1812 held a joint meeting in Raleigh on February 29 following which separate business sessions were held by the different societies.

At a meeting in the governor's office in March, the Roanoke Island Historical Association was reorganized, with Governor J. Melville Broughton as chairman and Melvin R. Daniels of Manteo as vice-chairman. Tentative plans were made at the meeting for production anew after the war of Paul Green's pageant-drama, "The Lost Colony," which was presented at Fort Raleigh, Roanoke Island, every summer from 1937 through 1941.

The forty-fourth annual state convention of the Daughters of the American Revolution was held in Raleigh, March 1-2.

On March 20 Providence (Negro) Church of Greensboro celebrated the seventy-third anniversary of the purchase of the church site and the sixty-eighth anniversary of the laying of the cornerstone of the present brick building. At the ceremonies a $7,000 mortgage, contracted five years ago, was burned to symbolize the wiping out of all indebtedness against the property.

On April 16 Gum Springs Baptist Church, Anson County, celebrated its one-hundred-tenth anniversary, with Governor J. Melville Broughton the chief speaker.

On April 19 in the governor's office in the state capitol in Raleigh special exercises were held in recognition of the services of Colonel William A. Blair of Winston-Salem, who had served for nearly fifty-three years as a member, and for nearly forty years as chairman, of the State Board of Charities and Public Welfare.

The Central Methodist Church of Monroe celebrated its one-hundredth anniversary, May 7-14.

Mrs. J. Melville Broughton, wife of the governor, on May 23 christened the *Donald W. Bain,* new Liberty ship constructed at Brunswick, Georgia. The vessel was named for a former treasurer of the state of North Carolina who was a great uncle of Mrs. Broughton.

The Kiffin Rockwell post of the American Legion is planning for downtown Asheville a memorial to all Buncombe County men and women who shall have lost their lives in the service of their country in the present war.

Dr. Gilbert T. Lycan has been promoted to the rank of full professor at Queens College. A doctor of philosophy of Yale University (1942), he came to Queens in 1943 as associate professor and head of the department of social sciences.

Professor C. H. Hamlin of Atlantic Christian College has published "James Shannon," *The Scroll,* March, 1944. *The Scroll* is a periodical issued by Campbell Institute, a Disciple organization at the University of Chicago. James Shannon (1799-1859) was the leading professional educator of the early Disciples of Christ, and was especially active in Georgia, Louisiana, Kentucky, and Missouri. This article deals with his educational work.

New members of the history teaching staff at the University of North Carolina at Chapel Hill, who taught in the March-to-July semester, are Dr. George P. Hammond, dean of the graduate school and head of the history department of the University of New Mexico, and Dr. Guion Griffis Johnson, Mr. B. H. Wall, and Miss Ruth Daniel of Chapel Hill.

A Syllabus of the History of Civilization, by Lillian Parker Wallace and Alice Barnwell Keith (Raleigh: The Technical Press, 1944), has been revised and put into permanent form by the history department of Meredith College. This syllabus, designed for one semester of the freshman course in history, was used first in temporary form and then revised in light of teaching experiences with it.

The centennial number of *The Christian Sun* (vol. XCVI, no. 7), published at Richmond, Virginia, is dated February 17, 1944. The founder and editor of the paper was Reverend Daniel Wilson Kerr, who was born in Cumberland County, Virginia, July 10, 1796, and died at Pittsboro, North Carolina, May 15, 1850. The first issue of the paper was published at Junto Academy, Orange County, North Carolina, and the printing was done by D. Heartt of Hillsboro. In 1849 Editor Kerr moved to Pittsboro, transferring the office of publication there. The centennial issue contains sketches of early ministers, many of them North Carolinians, and other historical data on the Congregational Christian churches.

The Greensboro Daily News, March 5, 1944, contains an article on the origins of place names in North Carolina, by Professor George P. Wilson, professor of English at the Woman's College of the University and executive secretary of the American Dialect Society. These names, the author points out, have many different sources, including Greek, Latin, English, German, French, Spanish, Italian, Russian, Indian, Biblical, biographical, biological, and personal.

The North Carolina Society of the Cincinnati has deposited with the Sondley Reference Library of Asheville a letter from Colonel Edward Buncombe to Robert Smith, merchant of Edenton, dated January 12, 1770. The letter, which deals with such commonplace matters as Buncombe's need of paint and the condition of the crops, is said to be "probably . . . the only letter in existence written by the man for whom" Buncombe County was named.

The Duke University library is building up a collection of American sheet music. Already a large number of items have been assembled.

Resources of the Duke University divinity school library have been made available to all ministers in the Southeast by the setting up of a fund to provide duplicate copies. Any minister may now borrow two books at a time, each for one month.

The Woman's College of the University of North Carolina has established the historical college collection as a separate unit of the college library. In the collection are printed and manuscript materials relating to the history of the college and persons connected therewith.

"Life, Labor and Society in Boone County, Missouri, 1834-1852, as Revealed in the Correspondence of an Immigrant Slave Owning Family from North Carolina," edited by Lewis E. Atherton, *Missouri Historical Review*, XXXVIII, 277-340 (April, 1944), is the first of two instalments of letters from Walter Raleigh Lenoir and his wife, who in 1834 had emigrated with their family, slaves, and other belongings, from "Fort Defiance," the old family homestead in the upper Yadkin Valley of North Carolina, to the vicinity of Columbia, Missouri. The original letters are in the University of North Carolina library at Chapel Hill, the University of Tennessee library at Knoxville, and the Lawson McGhee Library at Knoxville.

Miss Nina Troy of Greensboro, formerly a missionary to China, has loaned to the Greensboro Historical Museum a collection of articles used in everyday Chinese life. Previously she had donated 100 permanent articles to the museum.

The state-wide program for collecting war records is being continued. During the three months ending May 25 Miss Charlie Huss, collector of records for the State Department of Archives and History, visited twenty-seven counties and worked with records collectors therein; held conferences with key persons in the program at the University of North Carolina at Chapel Hill, State College in Raleigh, the North Carolina College for Negroes at Durham, the Agricultural and Technical College (Negro) at Greensboro, and elsewhere; and delivered addresses to Girl Scout Troup No. 13 in Gastonia (March 1), the Lanier Club of Tryon (March 2), the sixth grade of Barbee School, Raleigh (March 7), the collectors of war records in Lenoir County (April 8), the North Carolina Federation of Women's Clubs in Charlotte (May 17), and other groups. Incoming war

records are being classified and indexed by counties as they are received by the Department of Archives and History, and a diary is kept in which are noted materials received, visitors to the office, trips made, and any other activity connected with the program.

The *Bulletins of the American Association for State and Local History*, volume I, number 8 (March, 1944), "The Development of War Records Projects in the States, 1941-1943," by Dr. Lester J. Cappon of the University of Virginia, contains information about North Carolina's program for collecting war records. The *Bulletins* are edited by Dr. Christopher Crittenden, secretary of the North Carolina State Department of Archives and History, and are printed in Raleigh.

The secretary of the Department of Archives and History during the three months ending May 25 delivered the following addresses: "The Treaty-Making Power of the United States," Citizens' Council for the United Nations, Raleigh (March 3); "Preserving Tar Heel War Records," Meredith College (March 8), Raleigh Woman's Club (March 8), and war records collectors of Lenoir County, Kinston (April 18); "The American Scholar and the World Today," Phi Beta Kappa initiation at Wake Forest College (March 27); "This World of Ours," Raleigh branch, American Association of University Women (May 11).

Recent accessions of the Hall of History (state historical museum) include a Nazi headquarters flag captured in southern Italy by two North Carolina men and presented by Clarence W. Griffin of Forest City; "gay-nineties" clothes presented by Mrs. Rosa W. Bullock of Rocky Mount; a colored print of Toisnot Academy at Wilson which served as a Confederate military hospital (1863-65), deposited by the North Carolina Society of the Palatines; and the inaugural dress of Mrs. J. Melville Broughton, presented by her.

Recent accessions to the manuscripts division of the State Department of Archives and History include "Reminiscences of Dr. Paul B. Barringer. Early Lincoln County," by Dr. W. A. Montgomery, 61 typescript pages, given by Dr. W. A. Montgomery of Charlottesville, Virginia; a book of autographs of the members of the North Carolina state convention of 1861, given by Mrs. Oscar Kern Maudlin of Asheville; "The Finney Family,"

by Charles W. Finney, bound volume of 91 typescript pages, given by the author of Oklahoma City; a microcopy of a volume listing North Carolina land grants in Tennessee, the original of which is in the National Archives, Washington, D. C., purchased from the National Archives; and seven maps of North Carolina, 1835, 1839, 1854, 1856, (two different maps) 1857, 1860, one map of North Carolina, undated, one map of North Carolina and South Carolina, 1835, and three maps of North Carolina, South Carolina, and Georgia, 1823, 1835, and 1843, all purchased from the Argosy Book Stores, New York City.

Publications received include John Tate Lanning, editor, *A Brief Description of The Province of Carolina On the Coasts of Floreda* (Charlottesville: The Tracy W. McGregor Library, University of Virginia. 1944); Thomas Ewing Dabney, *One Hundred Great Years: The Story of the Times-Picayune from its Founding to 1940* (Baton Rouge: Louisiana State University Press. 1944); David Leroy Corbitt, editor, *Addresses, Letters, and Papers of Clyde Roark Hoey, Governor of North Carolina, 1937-1941* (Raleigh: Council of State, State of North Carolina. 1944); Aubrey Lee Brooks, *Walter Clark: Fighting Judge* (Chapel Hill: University of North Carolina Press. 1944); Edward Ewing Brandon, compiler and editor, *A Pilgrimage of Liberty: A Contemporary Account of The Triumphal Tour of General Lafayette* (Athens, Ohio: The Lawhead Press. 1944).

CONTRIBUTORS TO THIS ISSUE

Miss Mary Lindsay Thornton is in charge of the North Carolina Collection in the Library of the University of North Carolina, Chapel Hill, N. C.

Dr. Marguerite B. Hamer is an assistant professor of history in the University of Tennessee, Knoxville, Tenn.

Mr. Curtis C. Davis is a lieutenant in the air corps of the United States Army. He is stationed overseas. His permanent address is 5 Stratford Road, Baltimore, Md.

Dr. James A. Padgett's address is 9 Fourth Street, Southeast, Washington, D. C.

THE NORTH CAROLINA HISTORICAL REVIEW

VOLUME XXI OCTOBER, 1944 NUMBER 4

THE NORTH CAROLINA DEPARTMENT OF REVENUE*

By ALLEN JAY MAXWELL

in Collaboration with

WILLIAM ORAN SUITER

In age the North Carolina Department of Revenue has attained the status of young adulthood. It was created by the legislature some twenty-three years ago. The events themselves during its brief life constitute an interesting record, and if space permitted a recounting of all the intimate details of personalities and facts connected with its development that have come within the observation and experience of the present writer the story would probably be even more interesting. Such a detailed account, will, however, have to await another time.

In attempting to formulate some statement about the Department of Revenue, even a sketchy one, it becomes immediately evident that the record of the Department is inseparably linked with the development of the revenue system and of the state

*Several months ago the State Department of Archives and History invited other state agencies to write or have written sketches of their history and development for possible publication in *The North Carolina Historical Review*. The present article in the first in this series.

Articles on the history of such agencies, published in this journal in the past but not a part of the present series, are Margaret Callender McCulloch, "Founding the North Carolina Asylum for the Insane," XIII (1936), 185-201; David Alexander Lockmiller. "The Establishment of the North Carolina College of Agriculture and Mechanic Arts," XVI (1939), 273-295; Stuart Noblin, "Leonidas Lafayette Polk and the North Carolina Department of Agriculture," XX (1943), 103-121, 197-218; and Jane Zimmerman, "The Formative Years of the North Carolina Board of Health, 1877-1893," XXI (1944), 1-34. Editor.

government of North Carolina. Its creation came simultaneously with, and as a part of, one of the most revolutionary changes made in the state tax structure. Its organization represented a redistribution of government services. Its growth has been influenced by the work of certain other agencies, and its accomplishments represent a continuation and culmination of previous achievements of the state. To understand fully the nature and significance of the events in its history it would be necessary to consider a great number of developments that came prior to its creation, as well as many that have occurred simultaneously with its life. Due to the limitations of space, however, the account here can include but little apart from the more direct facts and incidents.

If the accomplishments of the Department in its infancy and youth are prophetic of greater things in maturity, then the future may be rosy or ominous according to one's point of view. Statistically, as will be seen, its achievements have been phenomenal. It is not intended to present an elaborate statistical record, but one could hardly give an adequate account without the use of some figures. The changes made in the tax structure simultaneous with its creation and the effective work of the Department have provided the financial means for the great expansion of services of the state government during the last two decades.

The Department of Revenue was created in 1921. In the latter days of the legislative session of that year, after the revenue act had already been formulated, a brief measure was enacted providing for the creation of a Department of Revenue, to be headed by a Commissioner of Revenue. Such Commissioner was to assume the duties given by law to the Tax Commission except for those of equalizing the property tax assessments as between counties. For the latter function a State Board of Equalization was created, to consist of the Commissioner of Revenue, the chairman of the Corporation Commission, and the Attorney General as ex-officio members.[1]

The brief and inconspicuous character of this act was not in keeping with the significance of the change it had wrought. The department thus created was the first department of revenue in any of the American states. Only two states, Massachusetts and New York, had tax administrations at the time

[1] *Public Laws*, 1921, ch. 40.

which approached to any appreciable degree the extent of consolidation which the new North Carolina Department was soon to represent.[2] For North Carolina the nature of the changes in tax administration brought by the creation of the Department of Revenue can be appreciated only by contrasting practices before and after the event.

Up to 1891 the North Carolina state government had, like the governments of most other states, relied largely upon county officials for the administration of state taxes. Most of the revenue came from the general property tax but numerous license taxes (including one on merchants of one-tenth of one per cent of all purchases) were imposed by the state, as well as privilege taxes on certain corporations, and moderate taxes on income received from sources other than property that was taxed. The assessment and collection of all of these taxes for state purposes were with a few exceptions carried out by county officials. The county tax officials, i. e. the tax supervisors, list-takers, and sheriffs, or tax collectors, were responsible for the property, income and license taxes. Registers of deeds computed the income taxes, kept a record of licenses issued and prepared the tax duplicates. The tangible property of railroads was assessed by a board of appraisers consisting of the chairman of the board of county commissioners of each county through which any railroad ran. Collections were made by the sheriffs or tax collectors, and, when received, the proceeds of the taxes for state purposes were transmitted to the state treasurer.

The state officials having duties of tax administration were the treasurer, the auditor, and the governor. Railway, steamboat and canal companies were required to report to the treasurer, and the value of the franchises of such companies was assessed by a board consisting of the treasurer, the auditor and the governor. The treasurer also collected the privilege taxes on gross receipts and property taxes on railroads, canal, express, telegraph, and telephone companies, the property taxes on bank shares, and the premium and license taxes on insurance companies. The state auditor supervised the collection and handling of state funds by the local officials.[3]

---

[2] U. S. Bureau of Census, *Digest of State Laws Relating to Taxation and Revenue*, 1922. At the time the Tax Commission of New York and the Commissioner of Corporations and Taxation in Massachusetts assessed and collected most state taxes.

[3] *Public Laws*, 1889, chs. 216, 218.

In 1891 one of the first steps was taken toward a more centralized state administration of taxes. In that year a Railroad Commission was created, primarily for the purpose of regulating the rates and practices of railway, steamboat, canal, express, and telegraph companies.[4] This commission was at the time of creation given the task of assessing the property of railroads, and in 1893 the duty was expanded to include the assessment of all property and franchises of all the companies over which the commission exercised supervision.

The Railroad Commission was in turn superseded by a Corporation Commission in 1899.[5] The new commission assumed the powers and duties of the Railroad Commission and in addition it was given the power of control and supervision over telephone companies, sleeping car companies, building and loan associations, and state banks. Supervision of building and loan associations had previously been a function of the state auditor, and the control of banks had been previously exercised by the state treasurer. The tax duties of the new commission were not immediately any different from those of the Railroad Commission but such were materially increased two years later.

The tax machinery act of 1901 specified that the Corporation Commission should serve ex-officio as a Tax Commission.[6] As a Tax Commission it was to exercise supervision over the assessment of all property, incomes, and inheritances in the state.[7] It was given power to review the assessments in any county and to order changes. The commission was further required to make an annual report to the governor, including therein any findings and recommendations regarding changes that should be made in the tax laws.

In succeeding years the powers and duties of the Tax Commission were gradually amplified, but there was only one major alteration in the tax administration until the creation of the Revenue Department in 1921. A State Board of Equalization was created in 1907 with extensive power for making percentage changes in the assessment values of property for counties as a whole.[8] This board was composed of the governor, lieutenant governor, auditor, secretary of state, treasurer, and

[4] *Public Laws*, 1891, chs. 320, 326.
[5] *Public Laws*, 1899, ch. 164.
[6] *Public Laws*, 1901, ch. 7.
[7] The first inheritance tax was enacted in 1846 (*Laws*, 1846, ch. 72) and continued in use to 1868. After that year the law was not enforced and it was dropped in 1887. The tax was re-enacted in 1897 and 1901.
[8] Public Laws, 1907, ch. 261.

chairman of the Corporation Commission. In 1911 this board was abolished and its powers were transferred to the Tax Commission.[9]

On the basis of the changes made in 1901 and subsequent years, the state tax administration as provided in the Consolidated Statutes of 1919 was in brief somewhat as follows: The general property tax, upon which the state still relied to an appreciable degree for revenue, was administered in large part by county officials, subject to the supervision of the Tax Commission, and subject to the power of the Tax Commission to order the reassessment of property or equalize as between counties. The assessed value of the tangible property of railroads and public service companies and the value of the franchises, and capital stock or corporate excess of all corporations were determined by the Tax Commission on the basis of reports made by the corporations. Once determined these values were certified to the counties for local taxes and to the state auditor for state taxes. The state auditor ascertained the amount of tax due from each corporation and billed each for the amount. The franchise or privilege taxes on corporations were similarly handled. All taxes due the state from corporations were to be paid direct to the state treasurer. In case payment was not made by a certain date, the treasurer notified the auditor, who in turn was responsible for taking the necessary legal steps to enforce payment. The inheritance tax was administered by clerks of the superior courts under the close supervision of the Tax Commission. The limited income tax and the license taxes were locally administered, along with the property taxes applicable to the property of individuals, subject only to the very general supervision of the Tax Commission.

As may be noted from the above brief statement, the tax administration was decentralized, with various functions or duties distributed among different agencies. The automobile licenses were collected by still another state agency, the Secretary of State, and the premium and license taxes on insurance companies were assessed and collected by the Commissioner of Insurance. The situation thus pictured is in sharp contrast to that existing a few years after the creation of the Department of Revenue, as will be seen later.

---

[9] *Public Laws*, 1911, ch. 50.

In spite of the decentralized tax administration certain other factors were probably more influential in leading to the establishment of a Department of Revenue. The somewhat revolutionary changes in the state revenue system which were completed in 1921, together with the fact that the Corporation Commission as a regulatory agency was involved in prolonged railway rate controversies and thereby had more duties than it could efficiently perform when combined with numerous duties of tax administration, were important factors promoting change.

The tax changes alluded to cannot be recounted in detail, but a brief statement should be included. In the period following 1900 the state had developed rapidly in population and wealth. There was a simultaneous increase in the need and demands for government service, particularly in the field of education. The revenue needs of the state government began to outrun the revenue yields of a tax system that was still based primarily on the property tax. It became evident after 1910 that some changes in the revenue system would be imperative if the state government was to function efficiently in the new era, and keep pace with other developments in the state. The coming of the First World War with the consequent higher costs and necessary expansion of services further accentuated the problem. Efforts for change became pronounced in 1913 and continued on the part of the governors, leading legislators and others.[10] Without enumerating the proposals or depicting the controversies, the fruits of such efforts may be seen in the constitutional amendments adopted by the voters in 1920 and in the subsequent legislation enacted making the amendments effective.

The amendments to article V of the constitution adopted in 1920 authorized the levying of an income tax of the type now used and required the virtual separation of sources of state and local revenue with the state abandoning the use of the property tax. In keeping with this amendment, a modern income tax law, drafted by the writer, was included as Schedule D of the revenue act of 1921.[11] Since the experience of other states had effectively demonstrated the fact that a modern income tax could not be efficiently enforced without centralized adminis-

[10] The writer was a chief clerk with the Corporation Commission or Tax Commission from 1910 to 1918 and a member of the Commission for more than a decade thereafter, and was thus in the midst of the controversies of the period. Credit may perhaps be claimed on the basis of official records for having appreciably influenced the solution reached.

[11] *Public Laws*, 1921, ch. 34.

tration, a feature of the new law was provision for assessment and collection by the Tax Commission.

In his message to the legislature Governor Cameron Morrison, who assumed office in 1921, had included the enactment of the income tax law and the creation of a new Department of Revenue in the program he proposed as being urgently needed.[12] In view of his recommendations and the great increase in duties for the Corporation Commission provided for in the revenue act, Chapter 40, previously referred to, was enacted authorizing the creation of a Department of Revenue.

Since the brief wording of the law merely provided for a transfer of duties from the Corporation Commission as an ex-officio Tax Commission to a Department of Revenue, there was immediately no change in administration except in the case of the new income tax. The administrative procedures for the income tax, first specified for the Tax Commission and then transferred, included both the assessment and collection of the tax. Other procedures, as to license, franchise and inheritance taxes, and the assessment of public service companies and corporation shares remained the same, except for the fact that the revenue commissioner replaced the Tax Commission as the agency involved. The more complete changes in administration came later, in 1923 and subsequent years. In fact the duties and personnel continued to grow until 1941 when the trend was reversed by the separation of the Motor Vehicle Bureau and Highway Patrol from the Department.

The Department of Revenue was organized in May, 1921. The inheritance tax unit and the franchise and corporation assessment unit were transferred from the Tax Commission. Even with such transfer, only sixteen persons were on the pay roll the first month.[13] An income tax unit was organized in October, 1921, and additional employees were added. The average number for the first fiscal year, July 1, 1921, to June 30, 1922, was only thirty, although extra employees over that number were used during a part of the year. The cost of operation for the first fiscal year was $87,125, and collections by the Department were $3,120,064, from the income and inheritance taxes. In spite of the relative small amount of collections in the first year, the department collected approximately 25 per cent

[12] *Senate Journal*, 1921, pp. 76 ff.
[13] *Auditor's Report*, 1921, p. 208.

of the total state government revenues for the year. The total for the state at the time was only $12,599,643.

The statistical record for the first year provides a sharp contrast to that for the last fiscal year when the Department with an average of 312 employees collected $92,031,110 at a cost of $742,049. The statistical record of the department through the years is given in Table I (see page 277). By reference to it one may follow the changes that are mentioned below, as to growth, duties, and organization.

In 1923 the duties of assessment and collection were consolidated in the Department for the principal general fund taxes. The duty of collecting the franchise taxes was transferred from the state auditor and treasurer, and provision was made for the direct collection of Schedule B license taxes instead of having them collected by county sheriffs or tax collectors.[14] Pursuant to this legislation a license tax division was organized, a field force division was set up, and the personnel of the accounting and cashier's offices was expanded.

An even greater expansion was provided by the legislature of 1925. Two acts to consolidate the revenue collections of the state were passed in that session.[15] By the terms of these acts, the Motor Vehicle Bureau of the Department of State, which was responsible for the administration of the automobile license taxes, the gasoline tax, and the bus and truck franchise taxes, was transferred to the Department of Revenue. At the same time the collection of premium and license taxes on insurance companies was transferred to the department. In the latter instance the Insurance Commissioner was to determine the amounts of such taxes, but collection was to be a function of the Department of Revenue.

Following the transfer of the Motor Vehicle Bureau, the Department of Revenue from the viewpoint of organization became somewhat dual in character. The Motor Vehicle Bureau was organized separately with a deputy commissioner at the head. In the bureau were the registration, branch offices, theft, and gasoline tax units. The same cashier's office, division of accounts, and supplies office served for both the Revenue units and the units of the Motor Vehicle Bureau. One important reason for the establishment and maintenance of the dual character of the

[14] *Public Laws*, 1923, chs. 4 and 12.
[15] *Public Laws*, 1925, chs. 158 and 258.

organization was the fact that the expenses of the Motor Vehicle Bureau were, and have continued to be, paid from the Highway and Public Works fund of the state, to which the motor vehicle licenses and the gasoline tax are transmitted. The costs of the units of the Revenue Division proper, on the other hand, are paid from the state General Fund.

It was not until 1933 that further major changes were made in the Department. Just prior to that date, in the early years of the depression, a shrinkage in personnel occurred, and there was a pronounced reduction in costs of operation. Rate changes in certain taxes had prevented a corresponding decrease in revenues collected. Personnel, costs, and collections were all materially increased as a result of the legislation of 1933. In addition to further rate changes in certain other taxes, a general sales tax and a beverage tax were enacted.[16] A new unit was established for the sales tax; the function of collecting the beverage taxes was given to the license tax unit. In the same year the gasoline and oil inspection unit of the Department of Agriculture and the Highway Patrol of the Highway Department were transferred to the Department of Revenue.[17] The gasoline and oil inspection unit was to continue to use the laboratory facilities of the Department of Agriculture or use those of the Highway Department. This unit was maintained as a distinct entity since its duties are technical in character and since its expenses had been and were to continue to be paid from inspection fees imposed by the unit.[18] The Highway Patrol was attached as a unit of the Motor Vehicle Bureau, since its expenses similarly were paid from the Highway and Public Works Fund.

The noticeable fact thus far that new changes came with practically each legislature has continued to be true in more recent years. In 1935 simultaneously with the enactment of the driver's license law and the expansion of the highway safety program, the size, equipment, and duties of the Highway Patrol were materially increased. Subsequently the Motor Vehicle Bureau was separated into two major divisions. One was organized as a Division of Highway Safety, with the Highway Patrol,

[16] *Public Laws*, 1933, ch. 445.
[17] *Public Laws*, 1933, chs. 214, 544.
[18] The gasoline and oil inspection was established in 1909 (*Public Laws*, 1909, ch. 554), primarily for the purpose of insuring the safety and value of illuminating oils (primarily kerosene). The function was later extended to all petroleum products sold for either heating or power purposes in order to prevent deception or fraud in the sale of such products arising from adulteration or misleading labels.

the Driver's License Unit, and a Radio Unit as subdivisions therein. The Motor Vehicle Bureau proper and the Highway Safety Division were each under a director subordinate to the Commissioner of Revenue.

The legislature of 1937 added new duties. The Intangibles Tax Law was enacted that year as Schedule H of the revenue act, with provision for state administration of the tax even though a large part of the proceeds were to go to the local governments. The gift tax schedule was also added, as well as a revision of the beverage tax provisions.[19] An authorization was further granted for the establishment of a laboratory in the Department for the gasoline and oil inspection unit.[20] The administration of the intangibles tax law necessitated a further expansion of personnel, but instead of a new unit being created in the Department the duty of assessing and collecting this tax was given to the franchise tax unit.

The permanent revenue act was adopted in 1939, including the addition of the use tax as a supplement to the sales tax, and a number of minor changes. Little involving a major change in the Department of Revenue was included in the legislation of that year. The sales tax unit assumed the administration of the use tax.

One further change worthy of mention, in view of subsequent developments, was the fact that in 1939 the small statistical unit which had handled primarily the reports of local governments to the State Board of Assessment was expanded into a Statistical and Research Unit, with several employees and modern punch card equipment for the tabulation of data. This development was significant for two reasons: first, it represented a provision for the resumption of statistical compilations of the work of the Department, all of which had been suspended in 1933. Second, the unit thus established was later to be separated as an independent department.

Beginning in 1933 the size of the Department expanded continuously and rapidly both because of the acquisition of new units and functions and because of the growth necessary to handle the rapidly increasing volume of tax returns. As may be noted in Table I, a peak was reached in the fiscal year 1940-41, when the Department included 797 employees and spent $1,958,425 for operation.

---

[19] *Public Laws*, 1937, ch. 127.
[20] *Public Laws*, 1937, ch. 425.

A great part of the increase in personnel and costs in the last years of the 1930's had been due to an expansion of the Highway Safety Division with its functions of law enforcement. Since those functions, as well as certain others of the Motor Vehicle Bureau, were unrelated to the problems of revenue collection, the continued union of such diverse activities in the same Department could hardly be justified. The volume of administrative work arising from the collection of revenue had also attained such proportions that the burden upon the Revenue Commissioner was becoming excessive. Action was consequently taken by the legislature of 1941 that reversed the trend of expansion for the Department. Governor J. Melville Broughton in his inaugural message in 1941 proposed the establishment of a Department of Motor Vehicles, and pursuant to this recommendation the legislature enacted such a law.[21] The law thus enacted provided that all of the activities and agencies of the Motor Vehicle Bureau and the Division of Highway Safety be separated from the Department of Revenue with the exception of the gasoline tax unit and duties and powers incident to the collection of the gallonage tax on gasoline. The agencies thus transferred were to constitute a new department created by the act, the Department of Motor Vehicles.

The separation was subsequently carried out as provided by the law. In the process of working out the details incident to such separation, certain cooperative arrangements between the units involved were continued. For instance, the accounting division of the Department of Revenue also handles all the accounting for the Department of Motor Vehicles. Similarly, the supply and service unit of the Department of Motor Vehicles handles the mimeographing, purchase of supplies, and the mailing for the Department of Revenue. The gasoline tax unit was left in the anomalous position of being in two departments. For purposes of budgeting and appropriations the salaries and other expenses of the unit are charged to the Department of Motor Vehicles. On the other hand the personnel constitutes a part of the Department of Revenue in so far as duties, responsibility, and supervision are concerned. This particular position of the unit arose from the fact that the expense of the unit like those of the Motor Vehicle Department were and have continued to

[21] *Public Laws,* 1941, ch. 36.

be paid from the Highway and Public Works Fund, whereas the costs of all other units of the Department of Revenue are paid from the General Fund.

In addition to the above separation, the legislature of 1941 also enacted a measure authorizing the governor at his discretion to separate the Statistical and Research Unit of the Department of Revenue and establish it as a Department of Tax Research.[22] The discretionary power thus granted was not exercised until over a year later. On July 1, 1942, the Statistical and Research Unit then including about fifteen regular employees and several temporary ones was made into a separate department. Again certain cooperative arrangements between the new department and that from which it was separated were maintained. The accounting division of the Department of Revenue continues to serve for the Department of Tax Research.

As a result of the above separations, the Department of Revenue during the 1942-43 fiscal year had an average of only 312 employees. The total expenses had declined to $742,049. On the other hand collections by the Department reached an all-time high of $92,031,110 net after refunds. Practically all agencies and functions not directly connected with the collection of revenue had been removed. Consequently the costs of collection as a percentage of the amount of collections declined to an all-time low of 0.81 per cent. As now organized the Department includes the following units: Accounting; Inheritance and Gift Tax; Privilege and Beverage Tax; Franchise and Intangible Tax; Income Tax; Sales Tax; Addressograph; Field Collectors; Field Auditors; and Training and Procedure. The last unit is an addition authorized in the appropriations made by the 1943 legislature.[23]

---

[22] *Public Laws*, 1941, ch. 327.
[23] *The Budget*, 1943-1945, p. 313.

Table I. DEPARTMENT OF REVENUE, NUMBER OF EMPLOYEES, COST OF OPERATION, AND COLLECTIONS 1921-1943. (a)

Fiscal Year and Major Division	Average Number Employees	COST OF OPERATION		Net Revenue Collected by Department (b)	Total State Revenue Receipts (c)	Per Cent of Total State Revenue Collected by Dept.
		Amount	As Per Cent of Revenue Collected			
1921-1922	30	$ 87,125	2.79	$ 3,120,064	$ 12,599,643	24.8
1922-1923	(d)	146,439	3.61	4,051,903	14,805,135	27.4
1923-1924	(d)	182,621	2.79	6,526,305	17,292,340	37.7
1924-1925	(d)	192,185	3.13	6,148,112	19,625,960	31.3
1925-1926(e)						
Revenue Division	(d)	153,905		11,108,245		
Motor Vehicle Bureau	(d)	313,980		14,382,422		
Total	(d)	467,885	1.84	25,490,667	27,791,262	91.7
1926-1927						
Revenue Division	(d)	158,790		11,464,273		
Motor Vehicle Bureau	(d)	397,288		14,175,424		
Total	(d)	556,078	2.17	25,639,697	27,850,078	92.1
1927-1928						
Revenue Division	66	156,710		13,912,301		
Motor Vehicle Bureau	172	517,166		18,900,126		
Total	238	673,876	2.05	32,812,427	35,046,252	93.6

Table I. DEPARTMENT OF REVENUE, NUMBER OF EMPLOYEES, COST OF OPERATION, AND COLLECTIONS 1921-1943. (a)—Continued

Fiscal Year and Major Division	Average Number Employees	COST OF OPERATION		Net Revenue Collected by Department (b)	Total State Revenue Receipts (c)	Per Cent of Total State Revenue Collected by Dept.
		Amount	As Per Cent of Revenue Collected			
1928-1929						
Revenue Division	66	169,793		13,703,546		
Motor Vehicle Bureau	166	455,189		17,114,527		
Total	232	624,982	2.02	30,818,073	33,017,806	93.3
1929-1930						
Revenue Division	76	192,822		15,290,565		
Motor Vehicle Bureau	148	468,115		19,918,932		
Total	224	660,937	1.87	35,209,497	37,216,067	94.6
1930-1931						
Revenue Division	76	191,115		12,952,942		
Motor Vehicle Bureau	142	410,036		18,716,866		
Total	218	601,151	1.90	31,669,808	33,637,462	94.2
1931-1932						
Revenue Division	75	163,264		17,233,598		
Motor Vehicle Bureau	133	355,357		20,493,392		
Total	208	518,621	1.37	37,726,990	43,449,451	86.8

1932-1933						
Revenue Division	74	136,487		13,942,266		
Motor Vehicle Bureau	124	308,550		19,240,699		
Total	198	445,037	1.34	33,182,965	38,027,620	87.3
1933-1934(f)						
Revenue Division	141	268,285		21,785,352		
Motor Vehicle Bureau	171	379,100		21,969,875		
Gasoline, etc. Inspection	9	18,879		582,603		
Total	311	666,264	1.50	44,337,830	45,341,999	97.8
1934-1935						
Revenue Division	150	277,842		24,419,294		
Motor Vehicle Bureau	164	379,099		24,969,033		
Gasoline Inspection	10	21,178		829,531		
Total	324	678,119	1.35	50,217,858	51,344,434	97.8
1935-1936(g)						
Revenue Division	184	332,443		30,024,563		
Motor Vehicle Bureau	128	328,253		25,809,587		
Highway Patrol, etc.	139	406,146		62,696		
Gasoline Inspection	16	45,640		106,028		
Total	467	1,112,482	1.99	56,002,874	57,698,923	97.1
1936-1937						
Revenue Division	193	384,860		37,970,612		
Motor Vehicle Bureau	138	343,975		29,379,016		
Highway Patrol, etc.	157	576,405		141,791		
Gasoline Inspection	17	46,465		1,035,410		
Total	505	1,351,705	1.99	68,526,829	69,646,645	98.4

Table I. DEPARTMENT OF REVENUE, NUMBER OF EMPLOYEES, COST OF OPERATION, AND COLLECTIONS 1921-1943. (a)—Continued

Fiscal Year and Major Division	Average Number Employees	COST OF OPERATION		Net Revenue Collected by Department (b)	Total State Revenue Receipts (c)	Per Cent of Total State Revenue Collected by Dept.
		Amount	As Per Cent of Revenue Collected			
1937-1938						
Revenue Division	249	548,840		37,490,400(h)		
Motor Vehicle Bureau	142	393,691		30,113,145		
Highway Patrol, etc.	181	515,003		130,502		
Gasoline Inspection	36	122,188		1,101,116		
Total	608	1,579,722	2.29	68,835,163	69,334,719	98.6
1938-1939						
Revenue Division	265	555,593		35,167,115(h)		
Motor Vehicle Bureau	172	429,979		31,697,553		
Highway Patrol, etc.	191	417,782		121,945		
Gasoline Inspection	34	102,636		1,157,564		
Total	662	1,505,990	2.21	68,144,177	68,506,607	98.7
1939-1940						
Revenue Division	277	593,703		40,001,696(h)		
Motor Vehicle Bureau	170	473,498		33,798,687		
Highway Patrol, etc.	272	702,366		186,730		
Gasoline Inspection	37	104,836		1,237,950		
Total	756	1,874,403	2.49	75,225,063	75,231,920	98.8

1940-1941						
Revenue Division	283	610,994		46,434,974(h)		
Motor Vehicle Bureau	182	468,842		38,439,291		
Highway Patrol, etc.	294	775,139		162,393		
Gasoline Inspection	38	103,450		1,402,171		
Total	797	1,958,425	2.27	86,438,829	86,452,297	98.9
1941-1942(i)						
Revenue Division	299	664,283		56,973,755(h)		
Gasoline Division	45	122,400		30,592,133		
Total	344	786,683	0.90	87,565,888	97,625,989	89.7
1942-1943						
Revenue Division	273	638,733		70,253,355(h)		
Gasoline Division	39	103,316		21,777,755		
Total	312	742,049	0.81	92,031,110	102,115,465	88.9
GRAND TOTALS		$17,412,779	1.8	$969,722,129	$1,063,658,074	91.2

(a) Sources: annual *Report of the State Auditor*, 1922, 1923, 1924, 1925, 1926; biennial *Report of the Budget Bureau*, 1929 to 1943.

(b) After 1925 includes premium and license taxes on insurance companies which are collected by the Insurance Department and transmitted to the Revenue Department.

(c) Includes revenue receipts of the three major state funds; the General Fund, the Highway and Public Works Fund, and the Agriculture Fund. Does not include Federal grants or earnings and incidental revenues of trust funds, special operating funds, etc.

(d) Not ascertainable.

(e) Motor Vehicle Bureau transferred to Department, 1925; also, taxes and licenses of insurance companies to be transmitted to the Department.

(f) Sales tax and beverage taxes enacted, 1933. Highway Patrol transferred from Highway Department, and Gasoline and Oil Inspection Unit transferred from Department of Agriculture.

(g) Drivers license enacted and highway safety program expanded with consequent expansion of Highway Patrol.

(h) Includes amounts collected from intangible tax for distribution to local governments.

(i) Motor Vehicle Bureau (other than Gasoline Unit) and Highway Patrol separated from Department in 1941.

The brief chronological account thus far has necessarily omitted certain phases of the work and relationships of the Department of Revenue. One phase that has not been related to state revenues has been the work of the State Board of Assessment.

As noted earlier, at the time of its creation the Department assumed the duty of assessing the property of railroads and other public service corporations, as well as the capital stock of banks, and the capital stock or corporate excess of other corporations. This task had been previously performed by the Tax Commission. The assessed values thus arrived at were not, after 1921, used for state taxes, but were certified to the counties for local taxation. In 1923, a State Board of Assessment was created to take over the task of assessing such property and to serve as a State Board of Equalization. For the latter function the Board replaced the State Board of Equalization created in 1921. The State Board of Assessment also acquired the powers of supervision over local assessments that were formerly held by the Tax Commission.[24]

The composition and tasks of the Board have varied from time to time. As established in 1923 the Board consisted of the Commissioner of Revenue, the chairman of the Corporation Commission, and the Attorney General. In 1929 the governor, or some person designated by him, and the secretary of the County Government Advisory Commission were added to the Board. After the Local Government Commission was created in 1931 to replace the County Government Commission, the chairman of the Local Government Commission became a member of the State Board of Assessment. Similarly, when the Utilities Commissioner superseded the Corporation Commission in 1933, the Commissioner was designated a member of the Board to replace the chairman of the Corporation Commission. Again when the Utilities Commission was established in 1941 the chairman of that body became the Board member. Following the establishment of the Department of Tax Research in 1942 the director of that Department replaced the Commissioner of Revenue as chairman of the State Board of Assessment.[25] The Board now includes the director of the Department of Tax Research, the Commissioner of Revenue, the chairman of the Public Utilities

[24] *Public Laws*, 1923, ch. 12.
[25] Machinery Acts 1929, 1931, 1933; *Public Laws*, 1941, ch. 327.

Commission, the Attorney General, and the director of Local Government.

The assessment tasks of the State Board of Assessment were materially reduced in 1935 when the former Section 603 was omitted from the machinery act.[26] This section had required all business corporations to report to the State Board. The Board in turn was to assess the value of the capital stock, or the intangible values of each corporation over and above the value of the tangible property, and to certify such assessed values to the counties where such corporations were located. In view of the large number of business corporations, the elimination of this provision reduced the number of reports handled from around 6,500 to approximately 500. The wisdom of the change is indicated in the fact that in 1934 the assessed value of the capital stock, or corporate excess, for the 6,000 reports thus eliminated was only slightly more than six million dollars, whereas the values assessed for the remaining 500 totalled $186,390,310.[27]

The State Board was given a new duty when the intangibles tax act was passed in 1937. The Board is responsible for the distribution of the receipts from such tax as between the state and the various local governments. Once the distribution is determined the Board certifies the amounts to the state treasurer and the local governments concerned. A further duty was added in 1941.[28] The Board is to determine each year the distribution of the receipts from the payments made in lieu of taxes by the Tennessee Valley Authority on power property in North Carolina. Such receipts are divided between the state and the local governments in which such property is located.

Most of the work of the State Board of Assessment has been done by the Department of Revenue. As noted before, the Commissioner of Revenue was chairman of the State Board from 1923 to 1942. As chairman, he was empowered to act for the Board in the interim between meetings. Further, the head of the Franchise Tax Unit of the Department of Revenue has been, and is, secretary for the State Board, and that unit has maintained the files and records and provided the necessary clerical work for the Board. All of the expenses of the Board have further been borne by the Department of Revenue.

---

[26] Compare *Public Laws*, 1933, ch. 204, and *Public Laws*, 1935, ch. 417.
[27] *Report of Department of Tax Research*, 1942, p. 296.
[28] *Public Laws*, 1941, ch. 85.

Another important aspect of the work of the Department of Revenue has been its record in the courts. Since it administers the numerous and in many instances complex provisions of the state tax laws, certain differences of opinion inevitably arise as between taxpayers and the administrative agents of the Department. Some of these differences can be settled only by adjudication in the courts. The number of cases thus arising has been surprisingly small. The small amount of litigation has been due to the rather consistent policy of the Department in considering individual cases on their merits and giving the taxpayer the benefit of doubts as to legal interpretation of provisions. In other words the Department has sought to maintain clarity and equity in the tax law through legislative amendments rather than by arbitrary rulings.

As a result of such consistent policy the major issues have arisen over the validity of the tax laws themselves rather than over interpretations given by the Revenue Department to such laws. Where the principles and procedures are specifically set forth in the law, it is not a function of the Department to attempt modification by interpretation. The Commissioner of Revenue is obligated to enforce the revenue measures as written until they are changed or overthrown in the courts.

The first major case confronting the new department arose a few months after its creation. The five larger railroads in the state challenged the assessed valuations determined in 1920 under the provisions of the special reassessment act of 1919,[29] and challenged the imposition of a state franchise tax measured by the amount of such assessed value. The franchise tax had formerly been determined on the basis of gross receipts. The five cases thus instituted in the Federal District Court were carried to the United States Supreme Court. Since all were on the same issues the cases were consolidated and considered simultaneously by the Supreme Court in a hearing held in November, 1922.[30] The Supreme Court upheld the North Carolina law in all respects.

The other major cases have arisen in connection with the income tax on corporations. The first challenge came again from the railroads. Four of the major companies challenged the provision whereby the deduction of capital charges is denied to

[29] *Public Laws*, 1919, ch. 84.
[30] Southern Railway et al. *vs.* Watts, 260 U. S., 519.

public service companies. The cases were again consolidated before the United States Supreme Court for a hearing April, 1923.[31] Again the North Carolina law was upheld.

From time to time cases have arisen over the allocation formula whereby income is allotted to the state for corporations operating in more than one state. Instances of such cases were: Hans-Rees' Sons *vs.* Maxwell,[32] which was instituted in June, 1930, and settled before the United States Supreme Court in March, 1931; Kent-Coffey Manufacturing Co. *vs.* Maxwell,[33] which arose in 1932 and was settled in March, 1933; and Norfolk and Western Railway *vs.* Maxwell,[34] which was instituted in 1935 and concluded in March, 1936. The first case above was brought by a manufacturer of leather incorporated in New York and operating plants in Asheville; the second involved a manufacturer of furniture incorporated in Delaware and operating plants at Lenoir. In each instance the North Carolina law was upheld, but in the Hans-Rees' Sons case the statutory formula was held to produce an illegal effect as applied to the circumstances of the particular taxpayer. The case was thus sent back to the lower courts for a rehearing on its merits. A satisfactory adjustment was subsequently reached without such rehearing. This case constitutes the only instance of even a partial defeat by the Department in litigation that has gone to the United States Supreme Court.

A more recent case that was concluded before the North Carolina Supreme Court in 1942 may also be mentioned.[35] The case involved an interpretation of the inheritance tax law as it applied to the proceeds of insurance policies. In this instance a man had taken out an insurance policy for $200,000 and then assigned it to his wife in such way as to relinquish all power of control. He continued to pay the premiums thereon until his death. In view of the fact that the deceased had initiated the policy and paid for it, the Department contended there was a taxable estate passing at death. The court concluded otherwise and overthrew the Department ruling. The loophole thus revealed in the law as stated was closed by an amendment enacted at the last legislature.[36]

---

[31] Atlantic Coast Line Railway et al. *vs.* Doughton, 262 U. S., 413.
[32] 283 U. S., 123.
[33] 291 U. S., 642.
[34] 297 U. S., 682.
[35] Wachovia Bank and Trust Co., Executor and Trustee, *vs.* Maxwell, 221 N. C., 528.
[36] *Session Laws,* 1943, ch. 400, Sec. 1, Subsection (c).

One of the major reasons for the success of the Department of Revenue in the courts has been the close cooperation which has always been received from the Attorney General's Department. The Department of Revenue is the best customer of the legal department. So many questions arise that require well considered legal advice that there is constant contact between the two. In fact, so much work of the kind arose that as early as 1925 an Assistant Attorney General was authorized, to be assigned to the Department of Revenue.[37] This arrangement has worked perfectly. Legal questions have been so thoroughly threshed out that court contests have become rare in the numerous controversial questions that arise. Even tax laws that have broken new ground have been largely upheld in the courts.

Several very able assistants have thus served the Department. The late Dennis G. Brummitt was Attorney General at the time authorization for such an assistant was enacted. John H. Harwood was the first Assistant Attorney General thus attached to the Department of Revenue in 1925, and his services continued to October, 1927, except for a period of several months during which he was replaced by Oliver H. Allen. Succeeding assistants have been: Judge Walter D. Siler from October, 1927, to July 1, 1933; T. Wade Bruton from 1933 to May, 1938; Lee O. Gregory from 1938 to October 18, 1941; and W. J. Adams, Jr., from 1941 to the present.

One problem that has confronted the Department of Revenue during much of its history has been that of office space. When the Department was first organized, it occupied the Senate Chamber of the Capitol. The Commissioner of Revenue and the Assistant Commissioner used the small clerks' offices, and the remaining staff occupied the chamber proper and the small committee rooms on the third floor of the Capitol. There was even a desk on the Speaker's stand.

It was, of course, necessary for the Department to move out before the legislature met in January, 1923. The Department moved to the Gilmer Building, now occupied by the Montgomery-Ward store on Fayetteville Street, for the period of the legislature. Following the legislative session the Department returned to the Senate Chamber, but it was necessary to move again when the legislature met in the special session of 1924.

---

[37] *Public Laws*, 1925, ch. 207. The salaries and expenses of the assistants thus assigned have been paid by the Department of Revenue.

This time the Department moved to the Highway Building while the legislature was in session, and then returned to the Senate Chamber.

The legislature of 1923 had appropriated funds for the addition of another story to the then new Agricultural Building to house the Department of Revenue. When it was found to be architecturally unfeasible to add another story, provision was made for an annex to the Agricultural Building, extending back to the State Museum.[38] Of the annex thus authorized, the first two floors were to be used by the State Museum and the upper three floors were designated as space for the Revenue Department. Before the legislature met for 1925 the Department was thus able to leave the Senate Chamber and move to the Agricultural Building.

The transfer of the Motor Vehicle Bureau to the Department in 1925 again altered the situation as to location. The legislature in the special session of 1924 had authorized the construction of the building now known as the Revenue Building.[39] At the time it was contemplated that such building would be occupied by the automobile unit of the Department of State, with the space not thus used to be maintained for legislative committee rooms. The same act which made the automobile unit a part of the Department of Revenue, also specified that the Department should occupy the new building previously authorized in 1924.[40] Pursuant to this legislation the Department moved to its present location in 1926, when the present Revenue Building was completed.

The problem of space was not ended with this last move. The growth of the Department was such that by the middle 1930's the space available was inadequate. Pursuant to legislation of 1937, an addition was made to the building, which was completed in 1939. This added space has still not solved the problem, for the Department has again overflowed into the legislative committee rooms to such an extent that the problem of space will become very acute when the legislature again convenes. The impossibility of further building during the present war period has necessarily postponed any solution of the present problem until the end of the conflict.

---

[38] *Public Laws*, 1923, chs. 162, 164.
[39] *Public Laws*, Extra Session 1924, ch. 70.
[40] *Public Laws*, 1925, ch. 158.

The record made by the Department of Revenue during the twenty-three years of its life has amply proved the wisdom exercised in its establishment. As may be noted from Table I, the Department had collected $969,722,129 net after refunds up to June 30, 1943. The cost of such collection was for the whole period 1.8% of the amount collected. The low cost thus indicated was achieved in spite of the fact that for a period of eight years the costs included those of the Highway Patrol and certain other activities not related to revenue collections. It should also be noted that a great amount of assessment work for local governments has been done, and that the Department during the last six years has collected $5,162,644 for the local governments on the intangibles tax. For the state the Department has collected 91.2% of the total state government revenues. The Department has also been in part instrumental, through recommendations for change, in molding the revenue system into its present efficient form.

In view of the services rendered, the costs of operation have been surprisingly low. In fact, at times the low costs have been a source of embarrassment to Commissioners at national meetings. The figures were reluctantly admitted at times for fear of giving an impression either of inefficient operation of a character that collects only the easy accounts and lets many taxpayers avoid liability, or else of exceeding parsimony in the payment of personnel.

The success of the Department as evidenced in the statistical record has been due in large part to the services of the numerous individuals who have served in it. The record would not be complete without some mention of the personnel.

The first Commissioner of Revenue was A. D. Watts, who served from May 1, 1921, when the Department was organized, until January, 1923, when he submitted his resignation from the position to return to private tax practice. Mr. Watts had been a member of the legislature from Iredell County, in the house, in 1901 and 1903, and was a member of the Senate in 1913. From 1901 to 1912 he was clerk to United States Senator F. M. Simmons, and was simultaneously clerk of the Senate Finance Committee during the latter part of that period. In 1913 he was appointed Collector of Internal Revenue for the Fifth, or Western North Carolina, District and served in that capacity until the two North Carolina districts were combined in 1919.

He was in private tax practice at the time of his appointment by Governor Cameron Morrison as revenue commissioner. Although he served only the short period, his previous connection with Federal tax administration gave him an experienced background for organizing the new department.

Following the resignation of A. D. Watts, Governor Morrison appointed R. A. Doughton to fill the uncompleted term. "Governor" Doughton (to use the title he has worn for more than half a century) had a background of experience and a knowledge of the state's revenue problems, which fitted him well for the new position he assumed. He had served thirteen terms in the General Assembly as a representative from Alleghany County and was a member of the house at the time of his appointment. He had participated, in one capacity or another, in every legislature from 1887 with the exception of the sessions of 1897, 1899, and 1901. He was speaker of the house in 1891, and served as lieutenant governor from 1893 to 1897. In many of the sessions he had been chairman of the finance committee of the house and as such was responsible for directing tax legislation, including any constitutional amendments dealing with taxation. "Governor" Doughton had served in this capacity during the years of controversy that culminated in the tax changes of 1921 and the creation of the Department of Revenue, and was militantly active in promoting such changes.

The first act creating the Department had made the office of commissioner elective. It was thus necessary for "Governor" Doughton to run for the office at the end of the unexpired term for which he was appointed. He was elected in 1924 and re-elected in 1928. Shortly after the latter date, in the early part of 1929, he resigned to accept appointment by Governor O. Max Gardner as chairman of the Highway Commission. Although he served only six years as commissioner of revenue, "Governor" Doughton was in office during the major expansions of 1923 and 1925.

Upon the resignation of "Governor" Doughton as Commissioner of Revenue, the writer resigned as a member of the Corporation Commission to accept appointment to the position. The service thus begun continued to July 1, 1942, when the office of Commissioner was relinquished to accept an appointment as Director of the newly created Department of Tax Research. The legislature in 1929 had changed the office of

Commissioner from an elective to an appointive one.[41] The thirteen-year period of service has thus involved the appointment or re-appointment by Governors O. Max Gardner, J. C. B. Ehringhaus, Clyde R. Hoey, and J. Melville Broughton.

Acceptance of the position of Commissioner of Revenue was but a continuation of almost two decades of active interest and participation in the field of taxation. The writer began his service for the state in the first Democratic General Assembly following the period of fusionism in 1899, as journal clerk of the senate. In the next five succeeding sessions he held the place of principal clerk of the senate. In 1910 a position as clerk of the Corporation Commission was accepted and service therein was continued until 1918 when an appointment was received from Governor T. W. Bickett to membership on the Commission. The office of Corporation Commissioner was an elective one, and the writer was elected upon the expiration of the unexpired term for which he had been appointed. Six years later he was re-elected.

Since the Corporation Commission was also the Tax Commission and as such had extensive duties of both tax supervision and administration, the writer had duties in both areas from 1910 on. Beginning with 1913 a prominent part was taken in the movement for tax reform, both in campaigning for change and in drafting most of the major constitutional amendments and tax laws that were eventually adopted, including the income tax amendment and legislation, and the act creating the Department of Revenue. Although the Corporation Commission had no official connection with tax administration after the creation of the Department of Revenue in 1921, the interest in taxation was continued in spite of extensive and continued activity in the problems of railway rates, and as ex-officio Securities Commissioner for the state after 1925. In 1927 an appointment was accepted to serve as chairman of the Tax Commission authorized by the General Assembly of 1927 to make an extensive study of the tax system of the state. Since this Commission was extended to 1933, the position of chairman of the body was still held at the time of assuming the office of Commissioner of Revenue.

The writer's period of service in the Department extended from the prosperous year of 1929 through the severe depression

[41] *Public Laws*, 1929, ch. 232.

years to the time of the present war prosperity. During that period the collections declined from thirty-five million to a low of thirty-one million and then steadily climbed to the more recent figures of approximately ninety million dollars. During the same period the personnel declined from 224 to 198 and then climbed to the peak of 797 in 1940-1941. This peak was followed by the separation of the Motor Vehicle Department. The increased diversification of the tax system in the period by the addition of the sales tax, beverage tax, gift tax, intangibles tax, and use tax resulted in the attainment of a well balanced tax system that will provide sufficient revenue in normal times to meet the reasonable needs of the state government without an unduly heavy burden on any one. A fair share of credit can be claimed for the changes, by reason of activity and recommendation as chairman of the Tax Commission, Commissioner of Revenue, and chairman of the Classification Amendment Commission of 1937.

Mr. Edwin M. Gill, the present incumbent, became the fourth Commissioner of Revenue for the State on July 1, 1942, by the appointment of Governor Broughton. Although he had not had an extensive background of tax experience, as did his predecessors, his eminent success in prior positions, and his remarkable ability to grasp and handle problems, as evidenced so far in his short period of service, give promise of an outstanding record in the Department. Mr. Gill was a representative of the General Assembly from Scotland County in the sessions of 1929 and 1931. For two years he served as private secretary to Governor Gardner, 1931-1933. In 1933 he was appointed Commissioner of Paroles and continued in that office until it was relinquished to assume the position of Commissioner of Revenue. He had been appointed and reappointed as Commissioner of Paroles by four succeeding governors. While in the office he had achieved a national reputation and had held or was holding some of the highest offices in the American Parole Association and the American Prison Association.

The Commissioners of Revenue have carried the major responsibility for the operation of the Department, and hence have been more conspicuously before the public, but the success of the Department could not have been achieved without the regular and conscientious service of the many employees. A few have betrayed their trust and besmirched the escutcheon of

the Department, but on the other hand most have served faithfully and efficiently, in many instances without either adequate recognition or adequate compensation.

A service record of the entire personnel through the years would constitute a document of great human interest, but only a few names can be here mentioned. The first assistant commissioner was Luke Lamb, a lawyer from Williamston (now in Wilson), but his services continued for only a period of months. O. S. Thompson, who had been assistant clerk and tax clerk for the Tax Commission since 1906, then became assistant commissioner and continued in the position until June, 1933. Dr. Marcus C. S. Noble from the University of North Carolina was appointed by Governor Ehringhaus to fill the position in 1933 and served until his resignation in September, 1936. Succeeding assistants have been W. J. Spain, of Charlotte, 1936 to June 30, 1942; Hathaway Cross, more recently Commissioner of Paroles, who served an interim period of approximately two months in 1942; and Ben Eaton, Jr., from Winston-Salem, the present incumbent.

Five persons are at present employed in the Department whose record extends back to the Tax Commission before the Department was created. These five are Mrs. Katie F. Anderson, Mrs. C. L. Andrews (née Odessa Terry), Jim R. Collie, Mrs. Ila Barnes Powers (formerly Mrs. Frank King), and Ruth Womble. Mrs. Anderson has served since 1920 with the Inheritance Tax Unit. Mrs. Andrews and Mrs. Powers have been continuously with the Franchise Tax Unit, apart from a few intermittent absences. Jim R. Collie has been a field collector. Miss Ruth Womble has been chief file clerk in the Income Tax Unit since it was established.

Two other persons in the Department have served since 1923. These are Mrs. A. L. Fleming and W. F. Gattis. Mrs. Fleming was for a number of years a secretary in the Income Tax Unit, but is at present with the Auditing Unit. Mr. Gattis has served continuously in the Auditing Unit. Although not at present with the Department of Revenue, Mrs. Ethel Ferrell McNeal should also be mentioned. She transferred to the Department in 1923, after two years as secretary to the state treasurer, and served nineteen years as secretary to the Commissioner of Revenue before going to the Department of Tax Research with the writer in 1942.

The life span of the Department of Revenue covers a period of phenomenal progress in the history of the state. The Department was created at a time when momentum was being gained for outstanding developments in practically every phase of North Carolina life and government. As the state government has expanded to keep pace with events and give a broadened public service, the Department has provided the life stream of revenue to maintain the program of progress. The Department has done too well recently, thereby making possible the large surplus of funds now on hand, but in the period of postwar adjustment that lies ahead it will be well that the state has a diversified revenue system and a Department of Revenue with the organization and experience to function efficiently.

W. W. HOLDEN AND THE ELECTION OF 1858[1]

By Edgar Estes Folk

One of the most spirited and important political campaigns which North Carolina ever has known was the campaign for the Democratic nomination for governor in 1858, with the sequel, equally portentous, of the choice of two United States Senators a few months later. Both elections helped to set in motion forces which disturbed the state for a dozen years, and which caused repercussions heard throughout the Confederacy and even the nation.

The two leading candidates for governor were young men of about the same age, John W. Ellis, thirty-eight, and William W. Holden, forty. Except in their ages, however, the men shared few similarities. Ellis was a favored product of excellent environment. He had received an education in law at the state university, and after settling down at the age of twenty-two in his native Salisbury had soon acquired a comfortable law practice. He had served two terms in the house of commons, from 1844 to 1848, and since the latter date had been judge of the superior court. His appeal was to the upper crust among voters.

Holden was a self-made man. Born "in obscurity," as he himself rather euphemistically phrased it,[2] Holden had had only a few months of formal schooling before becoming, at the age of ten, an apprentice in the office of the *Hillsborough Recorder.* Seven years later, driven by a goading ambition, he had come to Raleigh where he had worked on the *Raleigh Star* and had studied law at night. At the age of twenty-five he had become editor of the *North Carolina Standard,* official paper of the then discouraged and subordinate Democratic party. Through remarkable energy and skill in politics, especially adroit use of the slavery question and some local problems like equal suffrage, he had made the Democrats dominant by 1850, and had made himself the virtual dictator of the party. He had attained the

[1] For an article on Holden's early life and career, see Edgar Estes Folk, "W. W. Holden and the *North Carolina Standard,* 1843-1848: A Study in Political Journalism," *The North Carolina Historical Review,* XIX (1942), 22-47.

[2] *North Carolina Standard,* Feb. 5, 1862. His father was Thomas Holden, operator of a grist mill near Hillsboro. His mother was Priscilla Woods, about whom little is known beyond the facts that she bore this one child in her youth and lived in the same neighborhood for half a century afterwards. The son lived with his mother for five or six years, and then was taken into the house of his father, who meanwhile had married Sallie Nichols.

power of being able to "kill or make alive"[3] politically (a boast not disputed), through an appeal definitely to the rank and file of the party, to the common people of whom he always considered himself one, and for whom he always spoke.

At the end of 1857, just before the election, Holden could look about him and see the Democratic party fully supreme in the state, even if threatened with some discords and dangers in the nation. He could say contemptuously of adversaries at home, "We have nothing to fear from our piebald and unorganized opponents";[4] and he could feel a proper pride on his own part in bringing such conditions about, particularly as he observed the once-haughty *Raleigh Register* and some other Whig papers cringe and writhe. At a political meeting in Gates County during the year, one of the speakers excused himself for the tameness of his extemporaneous talk "on the ground that there was no one against whom he might direct his remarks, as nearly everyone is a Democrat."[5]

There were two hazards the North Carolina Democrats might face. Opposition, crushed under the name of Whig, was sure to spring to life under some new name, and challenge Democratic supremacy with some new issue, though Holden had little fear on this score, saying, "We have beaten them when they were organized and strong, and when they had leaders worthy of the name; and surely we can do it now."[6]

The more dangerous possibility was, as Holden stated it, that the Democratic party's "very strength may produce weakness. It may neglect its organization, and thus encourage divisions and discord; and the aspirations, the ambitions, the selfishness of its leading men may obstruct and cloud its principles, and ultimately break it down."[7] This was a warning, perhaps, to the many new converts from the Whig ranks, as well as to Democrats who might be inclined to lose their balance in the party's time of prosperity. At any rate, it was a pertinent warning. Holden, as in the past, assumed the guardianship.

The year of 1857 probably brought the crest of Holden's power as a political journalist. For several years his sway had been virtually undisputed, though now some disturbing signs were beginning to appear. The *Register* painted a bitterly

[3] *Standard*, April 13, 1859.
[4] *Standard*, Dec. 30, 1857.
[5] *Democratic Pioneer*, April 7, 1857.
[6] *Standard*, Dec. 30, 1857.
[7] *Standard*, Sept. 30, 1857.

envious picture of Holden sitting in "the Vatican on Hargett Street,"[8] exercising "papal powers"[9] as he strove to keep the party cleansed, intact, and mobile.

It was the election of 1858 that destroyed that picture.

Early in 1856 Holden wrote: "We do not want office. . . . All we desire is, to labor here in our humble way, at the head of this press, for the advancement of Democratic principles and for the preservation of the Constitution in its purity."[10] A year and a half later, the *Democratic Pioneer* at Elizabeth City carried a communication from a Raleigh correspondent proposing the name of Holden as the next Democratic nominee for governor.[11] Some time in the interim, Holden is supposed to have become tired of being the Warwick of North Carolina, and to have become ambitious for public office for himself, with more tangible reward than praise for his labors.

The conception of Holden's life which has grown up is that it was a tragedy, in the Shakespearean meaning of the word: he was a protagonist of unusual proportions; he came into conflict with powerful internal and external forces, and his sensitive temperament crumbled under the strain; he had "one vicious mole of nature," the burning desire to make himself ruler of his fellows; and it wrought his downfall—a fall, if one cares to carry the idea further, arousing pity and terror by its completeness and dimensions, and effecting a certain katharsis of those emotions.

How much truth there is in this conception—what occurred between 1856 and 1858—why there apparently ripened an ambition to hold high office—whether, indeed, the desire had been latent all along and he was biding his time to give it expression—how much he himself had to do with instigating his candidacy and how much he was pushed into it by friends—can be principally only matters of surmise.

There is little reason, however, to doubt his sincerity when he said he did not want office. No hint is to be found in his own paper or in other papers that his labors had been pointing toward high positions for himself; the inference that such was true does not take into account the surprise of his contemporaries when it became known that he was a candidate—and training

[8] *Register*, Nov. 18, 1857.
[9] *Register*, March 10, 1858.
[10] *Standard*, Jan. 23, 1856.
[11] *Democratic Pioneer*, Sept. 23, 1857.

had given them well-developed suspicions in such matters. In view of his later career, the absence of such references in the papers is striking. He had held two elective positions: one term in the legislature, voluntarily declining a second term when presumably he might have had it; and the post of public printer, to which he considered himself entitled as owner of the only Democratic press in the capital.[12] Besides this latter place, he held in 1858 four semi-public positions; warden of the poor in Wake County, director of the state institution for the deaf, dumb, and blind, director of the insane asylum, and member of the Literary Board which handled public school funds.[13]

Possibly he was pushed into the candidacy,[14] however far he needed to be pushed, by friends who kept reminding him of the great debt of gratitude which the party owed him; the state was told often enough in the next few months that the party was under incalculable obligations to him, and that he had made politicians who otherwise might have remained unknown. Probably it was pointed out that the west had had a governor in Reid, the east one in Bragg, and now the office was due the center of the state which had no more outstanding and available candidate than he.

Possibly, too, on the other hand, his fighting blood was aroused by learning that a portion of the party, the "aristocrats" for whom he had so often expressed disdain, was hostile to the prospect of seeing in the Governor's Palace a man who had worked his way up from obscurity. Soon after the *Democratic Pioneer* had carried the first proposal of the editor's name, the same Raleigh correspondent reported the "cod-fish aristocracy, of both parties, turning up their nasal organs at the idea of a poor man's aspiring to any thing above the club axe, hand-saw or jack plane."[15] This must have been extremely irritating as well as painful to Holden.

R. H. Whitaker, a contemporary editor in Raleigh, wrote some years later that Holden and some of the other Democratic leaders in Raleigh quarrelled in 1857, but that he never could learn the cause.[16] Developments would indicate that such a quarrel did occur, and that one of those arrayed against Holden was Gov-

---

[12] *Standard*, Jan. 23, 1856.
[13] *Standard*, Sept. 14, 1859.
[14] Holden said later he had merely consented to the use of his name by friends. *Standard*, Oct. 20, 1858.
[15] *Democratic Pioneer*, Oct. 20, 1857.
[16] *News and Observer*, March 19, 1905.

ernor Bragg.[17] But whether the rupture preceded Holden's mention for the governorship, or was the result of it, or led to it, is hidden knowledge. Holden, true to his policy of not parading private affairs in his paper, made no mention of it in the *Standard.*

Whatever may have been Holden's attitude before 1857 toward seeking office, whatever may have motivated his decision then, he committed what seems to have been the great mistake of his life in accepting at the same time the overtures of friends and the gage of the "aristocrats." The decision was the turning point of his career. An active campaign soon was started, and certain editors began to trace a series of moves whereby they saw him trying to insure the nomination for himself, as often as not perhaps reading into actions motives which were not there.

The communication to the *Pioneer,* with apparently the first newspaper proposal that he should run, was signed by "Hamet," who probably was a friend of Holden among the two or three hundred Democratic voters in the capital. "Hamet" proposed Branch for Senator and Holden for governor, and went on to praise the latter:

> In W. W. Holden we have the statesman and the scholar. He is thoroughly acquainted with the affairs of the State—he has done much for the Democratic party—he is of the original advocates, along with Gov. Reid, of Free Suffrage—he stood up and battled for the cause which you and I advocate, fifteen years ago when his party was 8,000 in minority, and his watch word ever has been, "Never give up the ship." If the Democracy of North Carolina have cause to thank any man for valuable services rendered, that man is W. W. Holden, who has worked his way from an apprentice in a printing office, to the proud position he now occupies. He is of the people—he is one of the people—he is for the people.[18]

The *Register* immediately noticed this mention of "our neighbor" of the *Standard* and printed facetious remarks in which Syme promised his support if Holden would make him private secretary.[19] This editorial of the *Register,* incidentally, struck the keynote for much of the ensuing, pre-convention comment in the Whig journals.[20] Nearly all their remarks were pitched in a half-humorous, half-ironic key, as though the idea of one of their own craft, especially their powerful adversary who was not

---

[17] Northampton, Bragg's county, consistently opposed Holden in the nominating convention later, and the two men were enemies thereafter.

[18] *Democratic Pioneer,* Sept. 23, 1857.

[19] *Register,* Sept. 30, 1857.

[20] Many of the opposition editors agreed with the *Fayetteville Observer* that the party had only suspended operations, and would soon come back into the field. It is simpler here to call them Whigs.

in the graces of the "aristocracy," running for governor struck them as containing much of the comic and not a little of the sardonically tragic. These Whig-American editors, with no candidate of their own to choose from, took a lively interest in the Democratic family-affair, and in many respects if one overlooks the tone of some of the articles, the pre-convention happenings may be followed much better in their papers than in the Democratic journals which accepted the situation in all earnestness, or deliberately said nothing about it. The Whig editors notably sympathized with Holden, partly perhaps because of a whispering campaign which apparently was begun against him.

About the time "Hamet's" communication appeared, editors received from the *Standard* office printed copies of a speech Holden had made July 1, 1857, before the State Educational Association in Warrenton. Holden also was scheduled to make the principal address to the Duplin County Agricultural Society at its meeting November 7. These speeches, as well as a Fourth of July oration in Raleigh the year before, whether planned for the purpose or not, helped bring the *Standard* editor personally before the public. He had given up speaking, except at party gatherings, since becoming editor, and one of the objections reported to his nomination was the fear that he might not be able to meet an opposing candidate on the stump.[21]

Sherwood of the *Greensborough Patriot* was another Whig-American editor who followed the Democratic nomination contest attentively. In October Sherwood reported that "either Holden or Branch will be put upon the track as the candidate for the governorship and Clingman is aspiring to take his seat among the Senators."[22] A few weeks later the *Patriot* noted that it was Holden whom the "aristocrats" were trying to stop, and that they were grooming Judge S. J. Person for the task.

> The aristocratic portion of the party will have to try again, before they get clear of Mr. Holden.—Judge Person is rather young and he is already very comfortably provided for. Holden is a self-made man, he has long permitted himself to be snubbed by the Democratic aristocracy. . . . The aristocracy can't beat him with one of their own class, and if they succeed at all, they will have to take a man who is a little high up and at the same time low down, forming as it were a link between the aristocracy and the common people.[23]

---

[21] *Greensborough Patriot*, Feb. 12, 1858.
[22] *Greensborough Patriot*, Oct. 23, 1857.
[23] *Greensborough Patriot*, Dec. 4, 1857.

The following week Sherwood reported increased "commotion in the Democratic hive" as the aristocrats searched frantically for a candidate. Clingman was determined on being Senator, W. W. Avery was unpopular in the east because of certain internal improvement projects of his, Ellis was unpopular in the mountains "and not particularly popular anywhere," and Judge Person and D. W. Courts, state treasurer, were not available.[24] Yet the politicians were resolved to forestall Holden, who at one time appeared to have a clear field. It soon became evident that Ellis was to be fixed upon.

The Democratic State Committee, of which Holden was chairman, met in Raleigh January 8 to make convention plans. It set April 14 as the date and did an unprecedented thing in selecting Charlotte as the place; conventions hitherto had been held in Raleigh. Holden explained that Charlotte was chosen both because that town had sent an urgent invitation, and because the committee felt the meeting was due the "gallant Democracy of the West."[25] Godwin of the *Democratic Pioneer,* which soon was to declare for Ellis, promptly pronounced the selection of Charlotte as a plot to keep eastern delegates away from the convention, since it was too far and too expensive for counties along the coast to send representatives. He protested against such "wire-pulling."[26]

Just how much political strategy was intended in the action of the committee is not clear; whatever there was, worked both ways. Much of the strength of Ellis lay in the east, while Holden was popular in the far western counties. On the other hand, the convention was to be held in a county almost bordering that of which Ellis was a native, and he naturally would draw much support from the fully-represented surrounding counties, whereas some counties near and even adjoining Wake were not represented. James Fulton, Wilmington editor who was on the committee and who favored the nomination of Ellis, saw no conspiracy in the move; and of the six committeemen present, the counties of four favored Ellis, and a fifth expressed no preference and was unrepresented at the convention, leaving only Holden to conspire against the east and its candidate. The selection of Charlotte seemed to be agreeable to both Holden and Ellis.

---

[24] *Greensborough Patriot,* Dec. 11, 1857.
[25] *Standard,* Jan. 13, 1858.
[26] *Democratic Pioneer,* Jan. 19, 1858.

As a matter of fact, the sportsmanship exhibited publicly by both candidates throughout the contest for the nomination seems to discountenance any suspicion of plotting in this matter. Ellis, because of his position, could do no campaigning, and at no time did Holden use the columns of the *Standard* to his own advantage; one would not know, from reading the editorials, that he was a candidate. His publicity was handled entirely by journalistic friends, just as was the publicity for Ellis, Avery, and Person. It would be difficult to find a pre-convention fight, at least one so closely contested, which was more openly dignified as far as the candidates were concerned.

Meanwhile, the *Register* had been busy seeing to it that the Democrats were to be offered some sort of opposition. Since there was no Whig or American party, Syme proposed that the members of those former organizations unite in supporting a Democrat who would favor the distribution of the proceeds of public lands.[27] If Holden should be the Democratic candidate, the issue would be clearly drawn since he strongly opposed distribution, and had avowed the intention to read out of the party any Democrat who declared for the scheme.[28] The persevering Walter F. Leak hastened to announce himself for governor on the distribution issue; he possibly looked forward to reaping enjoyment from a canvass with Holden. Duncan K. McRae, who had been president of the Democratic convention in 1852, also entered the field, making his first speech in Wilmington January 28, whereupon Leak withdrew, and the Democratic presses centered their fire upon McRae.

Holden was formally recommended to the party by a meeting of Wake County Democrats in Raleigh February 15; he was not present. A. M. Lewis made a talk in which he praised Holden as one who stands "high as a gentleman and among the first as an editor, and who has stamped his energy and spirit upon the masses of the Democracy of the State. There could be no doubt that the State owes Mr. Holden" the nomination; there was "no knowing what the political condition of the State would have been had he not wielded his great power in our behalf. But he believed the nomination could not exalt that gentleman—could be hardly a feather in his cap—but if he

[27] *Register*, Nov. 11, 1857.
[28] *Standard*, Nov. 11, 1857.

wanted the office, he was justly entitled to it, and in God's name let him have it."[29]

The *Standard* printed the proceedings of the Wake meeting in the same way it published the reports of other county conventions, whether they expressed a preference for him, for Ellis, for Avery, or for Person. A total of about seventy county-meeting proceedings was printed in the *Standard;* of these, twelve expressed a preference for Holden, seventeen for Ellis, ten for Avery, three for Person, one for Thomas Settle, and the others merely pledged the counties to support the nominee of the convention.[30]

The unusual interest taken by the public in the contest, as indicated by the number of county meetings, was more than matched in the newspapers. The *Wilmington Journal* vainly tried to head off party bitterness by urging Democratic papers not to express a preference until after the convention.[31] A number of editors agreed, but others already had jumped into the fight and some warm quarrels developed, especially in the east where the Holden papers seemed to be abnormally sensitive, probably because they were in territory that generally favored Ellis.

The *Goldsborough Tribune* and the *Fayetteville Observer* pointed out that the lawyers of the state, as well as the "aristocrats," were against Holden. The *Tribune* thought a reason for this was that the nomination of Ellis would cause a vacancy on the bench which each lawyer hoped to fill.[32] (Incidentally, fantastic as this reasoning may seem, records show that a large number of applications for appointment to the judgeship held by Ellis were made to Governor Bragg in the first six months of 1858.)[33] The *Observer* dwelt upon the irony and the injustice in the situation. Hale said the lawyers believed that Holden

is very well where he is, does well enough for an editor, but is not the man to be honored with the Governor's place; may be paid for his services with a long list of subscribers, but must not aspire to honorable official reward; but must know his place. . . . Without him these Democratic lawyers would never have been Judges, Governors, Congressmen,

[29] *Standard,* Feb. 17, 1858.

[30] The counties for Holden were: Chatham, Wake, Surry, Guilford, Orange, Johnston, Alexander, Gates, Duplin, Alamance, Stokes, and Randolph; for Ellis: Union, Lincoln, Columbus, Anson, Catawba, Chowan, Rowan, Davidson, Wayne, Halifax, Pitt, Ashe, Northampton, Cumberland, Montgomery, Craven, and Davie; for Avery: Jackson, Henderson, Buncombe, Madison, Yancey, McDowell, Caldwell, Burke, Macon, and Cherokee; for Person: Moore, Brunswick, and New Hanover; for Settle, Rockingham.

[31] *Wilmington Journal,* Feb. 24, 1858.

[32] *Goldsborough Tribune,* quoted in *Wilmington Journal,* March 12, 1858.

[33] Executive Papers, Thomas Bragg, January to June, 1858, State Department of Archives and History, Raleigh.

Legislators, scarcely heard of. But the work is done. And when he or his friends for him ask a participation in the honors of the victory, it is only natural . . . that his creatures should "take down his load, and turn him, like to the empty ass, to shake his ears, and graze in commons." How dare an editor of a newspaper, a *printer*, a man who has worked with his hands, aspire to reward from the *Democratic* party?[34]

On the day of the meeting Syme reported that "as the time for holding the convention drew nearer and nearer, the excitement between the respective friends of Holden and Ellis has risen higher and higher."[35] Both candidates looked to the many uninstructed delegations, since fewer than half had expressed preference. Whig editors could see that the opposition to Holden had gained much strength. In fact, two months previously Sherwood had said that "Mr. Holden's chance for the nomination has been whittled down to a very small point," although for a time he thought that "Mr. Holden would be too hard for the Raleigh and Eastern aristocracy."[36] But Holden's friends were confident that the masses of the people were for him, and that this would be reflected in the convention; it seemed to be understood that the Avery delegations would swing to Holden, as did happen.

A number of stories and legends about this Democratic convention of 1858 have sprung up; it has been written about many times—and the real narrative of what happened has never been told, possibly never will be. Those who reported it for the papers were careful to write only the actions of "*public* meetings,"[37] if they knew anything else; the principals have left no written statements to reveal backstage drama.

The convention was something of a topsy-turvy affair, with a personnel that must have looked strange to Democratic veterans. C. M. Avery, of Burke County, a former Whig, was chosen president on the recommendation of the nominating committee headed by Henry K. Burgwyn, also a former Whig. John Kerr, who had been defeated as the Whig candidate for governor in 1852, wrote the platform, and James W. Osborne, who had been defeated as the Whig congressional candidate in the seventh district in 1853, seconded the resolutions presented by Kerr. The *Register* observed that there were so many other renegade Whigs present that they made a list "formidable enough to elbow

[34] *Fayetteville Observer*, March 15, 1858.
[35] *Register*, April 14, 1858.
[36] *Greensborough Patriot*, Feb. 12, 1858.
[37] *Standard*, April 17, 1858.

out the old sinners, and make them look like so many poor boys at a frolic given by the upper crust."[38] Holden, after doing so much to destroy the old Whig organization, fighting many of these men now prominent in the convention, must have had his misgivings about receiving any favor at their hands.

The first clash between the keyed-up factions occurred almost as soon as the convention was called to order.[39] W. J. Houston, of Duplin, one of the Holden leaders, moved that the delegates from each county should cast the same number of votes as the county had given Bragg for governor in 1856. A. M. Nesbitt, of Rowan, the county of Ellis, offered an amendment that a majority of the popular vote should nominate. A. M. Lewis, of Wake, begged Nesbitt not to throw a firebrand into the convention at such an early stage, and after M. A. Bledsoe, also of Wake, added his plea that the amendment be withdrawn Nesbitt agreed. The original motion then passed, and the fight was postponed but not averted.

Following this first skirmish, won by Holden, came an argument regarding the proxy of Rutherford County, representing 1,070 votes. A young delegate was present claiming the right to cast the county's vote, but W. J. Hoke, of Lincoln, an Ellis county, moved that his name be struck from the roll because he was under twenty-one years old and because his name was not on the printed list of delegates. W. J. Yates (who said later in his *Western Democrat* that he personally had been for Holden,[40] although his Mecklenburg delegation voted for Ellis) reported as secretary that he had a letter from Rutherford County instructing him to give the county's proxy to the New Hanover delegation, which meant that Rutherford's vote would be given Ellis.[41] This provoked Jacob Mordecai, of Wake, to declare that he was in favor of the delegate before any proxy, and in answer to Hoke's objection that the delegate was not twenty-one Mordecai drew attention to "the renegade Whigs and Know Nothing Democrats, with the egg-shell scarcely off their heads, who were not only delegates but active wire-workers

[38] *Register*, April 21, 1858.

[39] These and other convention details, not otherwise credited, are taken from the reports in the *Wilmington Journal*, *Standard*, and *Western Democrat*, all of which are in agreement. The editor of the latter, W. J. Yates, was secretary of the meeting.

[40] *Western Democrat*, April 20, 1858.

[41] It is not known for whom the young delegate would have voted, since his county had expressed no preference. Because of the contest over the Rutherford vote, and because Frank Wilson, assistant editor of the *Standard*, as a former resident of the county might have influenced the youth, it is presumed that he would have voted for Holden.

in the Convention."[42] The question was referred to the credentials committee, which reported in favor of the New Hanover delegation.

Of the eleven other proxies, six were controlled by J. A. Dickson, of Burke County; these were the ballots of Caldwell, Henderson, McDowell, Polk, Yancey, and Madison counties, representing 3,023 votes, not counting those of his own county. W. M. Hardy, of Buncombe, held the proxy ballots for Cherokee and Macon counties, totalling 999 votes. W. H. Thomas held the proxy of Haywood County, 537 votes. All of these proxy votes were cast for Holden. Of the three Ellis counties voting by proxy, J. C. Badham cast the ballots of Pasquotank and Washington, 591 votes; and the New Hanover delegation the 1,070 votes of Rutherford.

Battle-lines were drawn more closely when the delegates reconvened the following morning, anticipating a heated contest over the two-thirds rule. During the night the delegations apparently had been canvassed, and it had been learned that Ellis had a certain majority. A member of the New Hanover delegation immediately left for home and wired the *Wilmington Journal* from Goldsboro, "Ellis has a clear popular majority of three thousand," although the balloting for the nomination had not taken place.[43]

When the session was called to order, Houston at once moved the adoption of the two-thirds rule to govern the nomination. Badham offered a substitute motion that the nomination be decided by a majority vote. A long and animated discussion followed, Holden men for the part favoring the motion, and Ellis men favoring the substitute, although there were some in both factions who thought the adoption of the motion would work against both candidates, and give the nomination to a third man.

Houston led the Holden forces, contending each point. Dr. W. J. Blow, of Pitt County, an Ellis man, said he thought the rule would be an innovation. Houston replied that it had been used to nominate Bragg, but that he presumed that was before Dr. Blow came into the Democratic party from the Whig. Another Ellis man, W. McL. McKay, of Cumberland, thought it would be better to offend one side than both by letting a third

[42] Mordecai himself had been elected as a Whig to the legislature in 1854.
[43] *Wilmington Journal,* April 16, 1858.

man in, and Houston denied vigorously that the purpose was to introduce another candidate. Other Holden men contended that the convention had no right to force a candidate on the party by a bare majority, and that the adoption of the rule had many precedents in the history of the party.

The Ellis men, confident of their strength, finally terminated the debate with demands for the question, which was to lay the substitute on the table with the understanding that this action would kill the original motion. On the vote which followed, thirty-eight counties, representing 26,766 votes, favored the motion to table, and thirty counties, with 24,276 votes, opposed it.

After the vote on the two-thirds rule, the ballot on the nominations which followed was to be foretold. Nevertheless, the Holden men went through with their program. Captain John Walker, of Mecklenburg, who had served as temporary president until the selection of Avery, presented a letter containing W. W. Avery's withdrawal, and then nominated Holden in a glowing speech in which he reviewed the editor's achievements for the party, pointing out how he had revived the organization at a time when it was most discouraged, when "the darkness of night was upon our cause"; how in the past fifteen years, "by his masterly planning and indefatigable exertions, by day and by the midnight lamp, he has hoisted many a candidate from the dirt."

> I don't speak of the services of Mr. Holden from hearsay, Mr. President. I speak what I *know* and have *seen*. I have witnessed his labors with his types and his editorials; and I *know* how many have become distinguished by his aid, who are now proudly waving their plumes. (Cheers.) Think, sir, of the victories he has caused us to win—of the majorities he has helped us to swell—of how many, but for him, would never have waved a plume! (Continued cheering.) And now, when we have an opportunity of putting a *feather* in *his* cap—shall we stand back in a spirit of base ingratitude? (Cheers.) To the Democracy I say, hold him to your hearts—keep him there still. By his talents and industry we shall yet pour many volleys of light and truth into the ranks of the enemy. Honor to him!—do not cast him from you! He has done more for the elevation of the Democratic party of the State, *than any other five men in it.*[44]

How influential could be such an appeal reminding some of the delegates of what Holden had done to destroy their former party may be regarded as problematical. By this time, however,

---

[44] *Fayetteville Observer*, April 26, 1858.

it was evident that nothing Captain Walker or any other Holden man could say would change the course of events.

Ellis was nominated by William Lander, of Lincoln County, in a much briefer speech. As the *Standard* reported it:

> Mr. L. would attempt no eulogy—Judge Ellis needed none. His democracy was well known from his infancy—(Loud cheering)—none was better known in the State. (Continued cheering, during which Mr. L. resumed his seat.)[45]

A ballot was taken on these two names, with Ellis receiving 25,051 votes from forty counties, and Holden getting 21,594 from twenty-seven counties. The delegates from Greene, Onslow, and Yadkin were tied as between Ellis and Holden. Greene voted for Thomas Ruffin, of Alamance; Onslow voted for Thomas Ruffin, of Wayne; and Yadkin did not vote. After the ballot, however, Yadkin received permission to record her vote for Ellis. Ellis thereupon was declared the nominee, having received a majority of 2,254 of all the votes cast.

Holden men hastened to show a spirit of magnanimity and devotion to party. M. A. Bledsoe claimed the privilege of moving that the nomination be made unanimous. Dickson, who admitted he had cast more votes against Ellis than any other delegate, pledged the mountain district for as great a majority as ever was given a Democratic candidate.

That some things occurred at the convention not told in this account was more than hinted at by various papers, but none of them told specifically what they were. One persistent story which survives today is of a Western delegate rushing to the convention with a pocketful of proxy votes which he cast to defeat Holden.

The vote on the two-thirds rule gave rise to a version of this story which Dr. J. G. deRoulhac Hamilton told in an article in the *Charlotte Observer*, May 3, 1908, calling it a "well authenticated tradition." This was that the delegates had polled themselves on their stand on this question and "it became evident that it all depended upon the way 'Dick' Reeves, of Surry county, cast the proxies which he held. Reeves was detained by high water and had to swim several streams before he finally reached Charlotte. There was intense excitement while his coming was awaited." Then Reeves voted for tabling the motion, according

[45] *Standard*, April 21, 1858.

to the story, and Holden never forgave him, believing that this vote defeated him.

The grounds for this story are not evident in the actual convention proceedings. R. E. Reeves and J. E. Reeves, the two delegates from Surry county, voted against tabling and supported Holden in the nomination vote. R. E. Reeves, at least, must have reached the convention early, for he was called upon for a speech at the evening session of the first day, whereas the contest over the two-thirds rule did not come until the second day. Nor is Reeves listed as voting any proxies.

Samuel A'Court Ashe, in his *History of North Carolina,* gives a less specific version of apparently the same story: "One delegate from beyond the mountains brought down in his pocket many proxies, and it was his vote that nominated Ellis."[46] Whitaker, who was present at the convention and should have remembered better, wrote fifty years later that a western delegate cast the proxy votes of nineteen counties to defeat Holden.[47]

Probably this curious story of western proxies grew out of the competition for Rutherford's votes, and became altered and enlarged with various retellings. It happened, however, that Rutherford's votes, if given to Holden at any of the times when a ballot was taken, would not have changed the results, though they would have given a difference of only 350 in the two-thirds rule contest, and a difference of 1,316 in the nomination vote.

Something, however, must have occurred at or in connection with the convention which was not told by the reporters. Holden's supporters left Charlotte angry. At a meeting in Raleigh the next night, Houston said that "Mr. Holden's friends had not had a fair fight there. There is no doubt but that a squabble had been allayed by them, but . . . [addressing Holden who presided] it was by laying you, sir, in the shade."[48] W. A. Allen, also of Duplin, spoke of "threatened difficulties at the convention, and was free to confess he had consented to a course which preserved the harmony of the party, but which had also sacrificed his friend."[49]

Two years later Holden, after a quarrel with Ellis, said the latter had obtained the nomination "by a resort to means which

---

[46] Ashe, *History of North Carolina,* II, 516.
[47] Whitaker, *Reminiscences,* 10.
[48] *Standard,* April 21, 1858. Houston intimated that he would have told what this "squabble" was if Holden had not been present.
[49] *Standard,* April 21, 1858.

would be considered unfair even by New York politicians."[50] What these "means" were, he did not say. It would appear that they could not have concerned proxies, despite the interesting stories. Three other more plausible possibilities suggest themselves from allusions in the papers.

The first of these to suggest itself was, as it was stated by the *Register*, that Holden was defeated "by primary meetings, packed by Lawyers and Renegade Whigs, who turned up their aristocratic noses at the idea of making a Governor of one who owed his claims to office to his own talents, exertions, and services. These packed meetings, packed the Convention." The proceedings were cut and dried by the time the delegates met in Charlotte, and there is no doubt that the convention itself was "packed" by Ellis men. Of the 477 delegates, 335 represented counties which voted for Ellis, while there were only 131 delegates from Holden counties. Syme also pointed out that Holden had antagonized the lawyers by his attitude at times toward the profession which he had given up to become an editor, and he asked Holden:

> if there is not a small modicum of *retributive justice* in their position towards him? . . . Did he not know that lawyers get up nearly all the primary meetings, draw their resolutions, and advocate them on the stump more than all other classes together? . . . We have heard a distinguished Democratic lawyer . . . say, that Mr. Holden had strangely miscalculated their power, and shown less discretion on that score than any other; and that he would find it to be so at the Charlotte Convention.[51]

Possibly another "means" used was pressure brought to bear upon uninstructed delegations, during the night canvass, to support Ellis, and to agree to vote next day against both the two-thirds rule and Holden. Sherwood wrote that "by a coalition of the renegades and aristocracy, Mr. Holden was tricked, and caucused out of the nomination."[52]

A third possibility is that the "means" was the refusal of the Ellis men, when they saw they had a majority of votes, to adopt the two-thirds rule. This was suggested by both the *Register*[53] and the *Fayetteville Observer*,[54] although the *Western Democrat*[55] expressed the opinion that "if the two-thirds rule

---

[50] *Standard*, Nov. 24, 1860.
[51] *Register*, July 28, 1858.
[52] *Greensborough Patriot*, May 14, 1858.
[53] *Register*, April 21, 1858.
[54] *Fayetteville Observer*, April 22, 1858.
[55] *Western Democrat*, April 27, 1858. It will be recalled that Yates said he preferred Holden.

had been adopted we have no doubt the same gentleman would have received the nomination that did receive it." But Holden leaders evidently thought differently, and believed that the adoption of the rule would have given their candidate a chance.

Any "means" such as these, if they were used, must have made Holden all the angrier because apparently a majority of Democratic voters were for him; and in a primary he probably would have won. Sherwood said "two-thirds of the masses of the party"[56] were for Holden, and Syme repeatedly said that the "unwashed multitude," representing a "large majority,"[57] wanted Holden. In the face of this condition (and he indicated that he thought it existed), Holden must have considered that not only he but also the people for whom he often expressed solicitude had been tricked by a few politicians.

In view of this testimony that the larger portion of the Democratic masses favored him, in view of his long party service and his leadership, the question arises of why Holden should have been denied the nomination. The reason probably was a complicated one. A factor in it certainly was the social.[58] Too much was said before and after the convention to ignore this point. The party which he had joined fifteen years earlier partly to escape the aristocratic Whigs had itself become aristocratic at the top. Reid, who had been elected before this situation was reached, soon was to feel the same influence working against him. In the years in which he had been gaining political power and comparative affluence, Holden had remained largely class-conscious. His sympathies, as he made known time and again, were with the people and the mechanics. To the slaveholders of the east his candidacy for governor appeared to be especially offensive. Of the twenty-seven counties in the state with more than five thousand slaves, seventeen voted for Ellis at Charlotte, and seven for Holden; the other three were not represented.

---

[56] *Greensborough Patriot,* May 14, 1858.

[57] *Register,* April 14, 1858.

[58] The attitude of many North Carolinians probably was expressed by Duncan K. McRae several years later in commenting at a time when Holden again was running for governor, on Andrew Johnson: "Andrew Johnson was born and reared in this city—or rather its obscure suburbs—and some of our inhabitants remember him as a low-down blackguard, without character, save for viciousness and depravity. His antecedents were also of the vilest and most degraded *caste.* . . . While we recognize to the fullest extent the true republican doctrine which places each and every man on his own merits, we cannot and should not overlook the fundamental laws of humanity impressed by the Creator, under which men resemble their ancestry more or less closely; and in examining the claims of any man to confidence and station, we cannot safely overlook *pedigree,* unless where *performance* has been so varied, and decided, and characteristic, as to leave no room for inquiry. We have seen many instances of what is called men rising by their own talents, or virtues, or merits, to places supposed to be above their plane of birth; but it will generally be found in these cases, that the men really had the benefits of pedigree, although obscure and dimmed; and they certainly had good mothers, and otherwise inherited good blood." The *Confederate,* June 29, 1864.

Included in the seven were Wake, his home; Rockingham, the home of Reid; and Orange, where he was born.

Another factor evidently was the activity of former Whigs. Houston told Wake Democrats that the most violent opposition to Holden came from "recent converts to Democracy—an opposition which resulted in 'snowing under' the Champion of Democracy in North Carolina."[59] The *Wilmington Journal* denied this, and thought a glance over the vote would show that counties which were Whig until recently were about equally divided between the two candidates,[60] an argument which might not mean much if the conventions in these counties were "packed" by the turncoats and the "aristocrats."

Still a third factor probably was the general prejudice which seems to exist, especially among politicians, against an editor's seeking office. "The history of his life," Josephus Daniels wrote in an obituary of Holden, "is in many ways the history of every editor who has made his paper second to his political ambitions."[61] This may not be hard to see today, but in 1858 the circumstance was not so evident. No editor in North Carolina had sought high office; the outstanding national example of Greeley came a decade later. Holden in 1858 did not actually make his paper subordinate to his political ambition, except indirectly as he sought to use the reputation and influence he had gained as editor as the stepping stones to office. This destroyed the picture which he had helped draw of himself, and which politicians had come to have of editors, as self-sacrificing party wheel-horses. As an editor, Holden supposedly had been performing disinterested labors for the party, looking selflessly after the general welfare. As a candidate, he appeared self-seeking, working for himself rather than for the party. Politicians who had used him "as the ladder up which Democratic aspirants climb,"[62] and who had rejoiced that he exerted so much influence with the people, feared to permit him to combine that influence with the power of office.

But if, at the time, any expected Holden to show outward bitterness, he was not to give opponents such satisfaction. Knowing that the next issue of the *Standard* would be looked at with curiosity and interest, he wrote for the paper an editorial and

---

[59] *Standard*, April 21, 1858.
[60] *Wilmington Journal*, April 24, 1858.
[61] *State Chronicle*, March 2, 1892.
[62] *Register*, April 21, 1858.

a personal statement to the Democratic party. Both praised the nominee and appealed to Democrats to forget the passions of the convention, and to "spring with alacrity" to his support. "John W. Ellis is a tried Democrat, an able statesman, and deserving man."[63]

Yet the blow hurt. At the Wake County ratification meeting the night following the convention, Holden made a speech praising the platform and the nominee and spoke for a minute of his feelings: "Next . . . to the loss of the hope of heaven and the beatitudes of the eternal hereafter, next to the loss of 'wife, children, and friends,' is that feeling of desolation and loneliness which comes over the bosom of the faithful public servant, when he thinks he has reason to conclude that the people have abandoned him without cause." He went on: "But . . . the people have not abandoned me, . . . and so help me God, I will never abandon the people, nor their cause, nor the Democratic party of the country."[64]

The disappointment must have rankled all the more because the underlying reason evidently was personal and not political. The man who had led the Democratic party to the fore, who had afforded opportunities to many politicians, who had fought to give the state free suffrage, a better school system, and more internal improvements, was not considered good enough personally to be the party's candidate for governor. This was the sort of thing which he might try to forgive at the time, but which he could not forget. The Whig *Carolina Watchman,* published in the home town of Ellis, said the nomination "may be regarded as unfortunate to the State, by the loss of a competent Judge; and to the party, by putting in motion first a feeling, then a prejudice, and then a ball, which, in the end, will probably crush more than aristocratic assumption."[65] J. J. Bruner showed himself an astute observer.

The Charlotte convention marks the turning point of Holden's life. He determined to give Ellis cordial support, and he did as far as it was needed. But the old exuberance, the dauntless optimism of the *Standard,* the expansive buoyancy born of confidence, were to an extent gone. Holden had been made too acutely aware of his obscure birth, had been reminded too

---

[63] *Standard,* April 17, 1858.
[64] *Standard,* April 21, 1858.
[65] *Carolina Watchman,* April 20, 1858.

sharply that he was the craftsman among gentry, for the memory of it to be effaced. And before time might have salved some of the hurt, the wound was slashed even wider almost immediately.

While the Democratic party on the surface presented united opposition to McRae, beneath was seething anger, at first more on the part of Holden's friends than of Holden. Wake county held the first meeting ratifying the nomination. At this meeting W. J. Houston promised that "the day is not far distant . . . when the old-time Democrats will proclaim a faithful servant's reward to the world."[66] Syme at once reported that this meant that Holden's friends were swearing to make him United States Senator in the fall.[67] This would shelve Bragg, who wanted the position.

Except for this one hint in the *Standard's* account of the meeting, the party's papers kept its inner discord submerged during the ensuing campaign. But after the election of Ellis, the smouldering animosities kindled at Charlotte began to work into the open. The time had been reached, against which Holden and other editors had warned, when the party was threatened from within by the personal ambitions of its members. The party imbroglio soon reached the point where Holden, because of "unfriendly relations which exist between himself and the Governor, and other dignitaries,"[68] felt it necessary to resign as a member of the Literary Board on which he had served seven years. At the same time rumors began to be heard of plans for the establishment of a new Democratic paper in Raleigh.[69] Such a paper could hurt Holden principally by taking the public printing from him; otherwise, he was too firmly intrenched to worry much.

The flames were fanned in October with the publication in the *Warrenton News* of two articles criticizing the Bragg administration for giving state and federal appointments to recent converts from the Whig ranks.[70] Walsh, the editor of the *News*, had been employed at one time in the *Standard* office as a clerk,[71] and the conclusion was drawn that he had been influenced by Holden to write the articles, even if Holden himself had not

---

[66] *Standard*, April 21, 1858.
[67] *Register*, April 21, 1858.
[68] *Fayetteville Observer*, Nov. 4, 1858.
[69] *Fayetteville Observer*, Nov. 18, 1858.
[70] The articles were quoted in the *Greensborough Patriot*, Oct. 29, 1858.
[71] *Standard*, Oct. 20, 1858.

written them. As this and other charges were repeated, Holden seized upon them to make both a categorical denial of all accusations and a scathing personal statement. At least one portion of the latter was highly significant:

> There are a few persons in North-Carolina professing to be Democrats, who are really aristocrats, and who will never forgive me for consenting to the use of my name for Governor. Of course, these persons have their dependents who echo what they say. If I were to say, what I do not choose to say, that in no event would I accept a Senatorship, *they* would be gratified, and charges like those to which I am now replying would no longer be made. It was my lot to be born in humble circumstances, to an inheritance of ignorance and poverty, and to be brought up to a mechanical trade; and there are some who would "punish" me on account of my origin, and because I had the energy and the ambition to struggle upwards in life, who, if they had been born in the condition in which I was, would have been there yet. Proud towards the proud, and humble among the humble, I have never cringed to a rich man because he was rich, nor slighted a poor man because he was poor. Nor have I played the demagogue, seeking to array one class of society against another. I have been the friend both as an Editor and as man, of *all* interests and *all* classes in North Carolina, from the College in which those who have means are educated, to the common schools, where the "children of the people" are cared for and educated by the State. Unpretending as was my origin, I thank God that He has given me a disposition to love my State, and my whole State with the affection of a son, and though others have served her with far more efficiency and ability than I have, yet none have laid upon her altar the offerings of a more loyal or patriotic heart.[72]

This statement attracted general attention, particularly the recrimination against "aristocratic Democrats," at which Whig and Democratic editors looked entirely differently. The *Wilmington Journal*, speaking for the Democrats in line with the administration, regretted that "a gentleman of Mr. Holden's large experience and clear sense should have felt himself called upon to furnish his and our enemies with a text from which to read hypocritical homilies, and over which to shed crocodile tears,"[73] especially Fulton's arch-enemy, Hale, and the opposition organ at the capital.

Whether the editorial comments were hypocritical or not, both Hale and Syme made them. It is doubtful that hypocrisy underlay Hale's at any rate, for he was not given to such. He called the statement of Holden "but the distant muttering of the storm," and went on:

---

[72] *Standard*, Oct. 20, 1858.
[73] *Wilmington Journal*, Oct. 29, 1858.

It is hinted that there is a powerful combination of the *aristocratic democrats* against Holden, and that we are on the eve of stirring events in the camp of the party. Holden was the ladder upon which most of them did their climbing. They fear he has elevated his own head too high, and are now endeavoring to kick him down.[74]

Syme's remarks were more pungent and perhaps more revealing:

That these men will again and again thwart Mr. Holden's laudable ambition, we do not in the least doubt, and if he submits to it, he will show more of heavenly grace than we can lay claim to, for if we were in his place, and could wield the power he has, we would put our heel on the political necks of those "aristocratic Democrats," and grind them to powder.[75]

As the time approached for the legislature to meet, Holden made a move to forestall party rupture by urging that all "unite in caucus, and adhere with an iron will to caucus action and party organization," because opponents had hopes only in divisions within Democratic ranks, and were already exulting at the prospects of disunited councils.[76]

The *Fayetteville Observer* at one time thought that Reid and Holden would receive the two honors;[77] but later when the legislature met advised that Clingman's reelection was regarded as certain and that Bragg, with few friends in the Senate, had formed a partnership with Clingman which gave him an advantage over the other candidates.[78] Factional lines of "Holden and anti-Holden" were drawn, the *Observer* said, and "the parties are so evenly balanced that the Holden candidate for Clerk of the House (Col. J. W. Alspaugh of the Winston Sentinel) was beaten by only one vote in caucus."[79]

The *Greensborough Patriot* also reported that the "aristocracy, together with the Salisbury branch of the Raleigh Clique, are decidedly in the ascendant, and such old line plebeian Democrats as Gov. Reid, Messrs. Holden and Alspaugh, are doomed to walk the plank."[80] On the day the awaited caucus was held, the

---

[74] *Fayetteville Observer,* Oct. 25, 1858. In his next issue Hale indicated that his sympathy for Holden was sincere: "There is a class of people . . . for whom we have a thorough contempt. It is the class which is everlastingly pluming itself upon that sort of love (for the 'common people'), and yet in manners and habits is more aristocratic than a British lord. The leading men of the democratic party are often found in this class; and they are of that class who now turn up their aristocratic noses at W. W. Holden." *Observer,* October 28, 1858.

[75] *Register,* Oct. 28, 1858.

[76] *Standard,* Nov. 3, 1858.

[77] *Fayetteville Observer,* Nov. 4, 1858.

[78] *Fayetteville Observer,* Nov. 18, 1858.

[79] *Fayetteville Observer,* Nov. 18, 1858. Holden denied that Alspaugh was his candidate.—*Standard,* April 20, 1859.

[80] *Greensborough Patriot,* Nov. 19, 1858.

Wilmington Journal expressed regret that "the bitterness of feeling which unfortunately exists between certain persons and their friends, grows in intensity."[81]

Finally "the great agony"[82] was over. The caucus decided upon the reelection of Clingman to fill out the term of Biggs, and upon Bragg to succeed Reid. Bragg was chosen on the second ballot. A correspondent of the *Western Democrat* reported that the first ballot stood: Bragg 55, Holden 26, Reid 26, W. N. Edwards 3, and Cunningham 1. The second ballot gave Bragg 62, Holden 26, Reid 18, Edwards 3, Cunningham 1, and Ashe 1.[83] The nomination of Bragg then was made unanimous.

Holden accepted the result more calmly than other editors, especially of the Whig papers. He wrote an editorial praising both Clingman and Bragg as able men who would make good Senators, and urged that rivalries be forgotten, at least publicly:

> Now that these elections are over, and the wishes of the representatives of the people have been officially expressed, we trust that all ill feeling growing out of the contest will subside, and that party harmony will be thoroughly restored. Personal interests and feelings must always be subordinated to the good of the party. Personal and private relations proceeding or growing out of contests of this sort, or indeed out of contests of any sort, are always in the keeping of those who are personally and privately concerned; but they should never be permitted to disturb the harmony or the progress of the party which is so dear to us all.[84]

But neither Holden nor any other individual could stay the tide of events and emotions.

> And so, [Hale remarked] Gov. Reid and W. W. Holden, who revolutionized the politics of the State and placed the democrats in power, have been whistled down the wind, and a new convert, Mr. Clingman, and an old Democrat, Gov. Bragg, who only came in to divide the spoils after the battle was over, have received the highest honors of the State! . . . So far as we are concerned, we are neither disappointed nor grieved at the election of Mr. Clingman. . . . But as to Gov. Bragg, we are disappointed. We regard him as inferior in all respects to Mr. Holden, and especially are we amazed that the party overlooked, in his favor, Mr. Holden's talents and services.[85]

The *Greensborough Patriot* saw in the election another angle, viewing the defeat of Holden especially as tightening the power

---

[81] *Wilmington Journal*, Nov. 22, 1858.
[82] *Greensborough Patriot*, Nov. 26, 1858.
[83] *Western Democrat*, Nov. 30, 1858. Holden, in his *Memoirs*, gives different figures: "A friend who attended the caucus . . . gave me the caucus vote at the time, which I preserved, as follows:—Bragg 40, Holden 36, Reid 18. On the second ballot Reid's supporters all went to Bragg, and his vote was 58, Holden 36." *Memoirs*, 8.
[84] *Standard*, Dec. 1, 1858.
[85] *Fayetteville Observer*, Nov. 25, 1858.

of "a certain aristocratic clique among the democracy, who, like the Kings of Europe, have come to regard the honors and spoils of office as belonging to them by divine right." Sherwood went on:

> The late Senatorial election was not a mere ordinary contest of political parties; it was more of a struggle between classes, and as such, it is regarded by the aristocrats as a great triumph, and as a great step towards making, in effect, the offices of honor and profit as hereditary in certain families. . . . And unless the people rise up in their majesty and overthrow this democracy which is fastening upon them, an aristocracy who will soon claim the divine right of Kings, we may soon bid adieu to our liberties. It is well known that the people desired Mr. Holden for Governor, but the aristocracy said no. It is also well known that failing in getting their choice for governor, the people desired Mr. Holden for U. S. Senator, but again the aristocracy said no.[86]

The election, no matter how philosophically Holden might try to take it, naturally widened the gulf between him and certain party leaders. His rejection had begun a quarrel which, though not always carried on as class warfare, was always with the same general class, and was to be unremitting until one or the other should be crushed. Holden himself grew noticeably more sensitive after 1858, more suspicious of and at odds with certain classes, more reliant on his *rapprochement* with the common people. At the same time the number and the malice of attacks on him increased so that, emboldened by their success at Charlotte, his enemies were seen by even the conservative Hale as determined to destroy Holden utterly.

It should be noted here that Holden's contemporaries did not themselves, at least publicly, put their oppugnancy to him on social grounds, except in 1858. Only one time, in all the years he was before the public, did a paper so much as refer to the circumstances of his birth, and that was a casual reference during the war. It may be significant, however, that it was chiefly unbiased Whig by-standers and not involved Democrats who voiced the charges of social discrimination in this election; at other times no such neutral group existed. Before the Charlotte convention, caste prejudice had little occasion to show itself. Any dislike for Holden was unorganized and appeared to be based principally on fear or antipathy on the part of individuals; since he asked for no favors for himself, there was no cause for this fear to integrate and crystallize into group hatred.

[86] *Greensborough Patriot*, Dec. 3, 1858.

Then, as Hale said, "Mr. Holden committed the unpardonable sin of aspiring to be Governor or Senator,"[87] and at once the issue was made. North Carolina politicians never forgave Holden for what they did to him in 1858; at the same time, for him the defeat was a bitter, unfortunate pill to swallow, and, though he achieved it in silence at the time, a figurative nausea was caused which was to affect the whole party and the entire state later. History has recorded how Holden, though a strong states rights man, soon began fighting militant slaveholders, led by Governor Ellis, who would take North Carolina out of the Union; how he turned against the Confederacy during the war, and even ran for governor on a separate peace-at-any-price platform; how he, as provisional governor, drew still further to himself the hostility of certain classes; how, when he was elected governor in 1868, the Ku Klux Klan was organized, and how in fighting it he gave excuse to many of those who had opposed him in 1858 to institute impeachment proceedings; how he became the second governor in the United States to be removed from office as a result of impeachment proceedings, with Bragg acting as one of the prosecutors; and how, in removing him from office, they imposed life-long civil disabilities which forbade his ever holding office in the state again.

Looking back after many decades, one is inclined to the view that the tragedy of Holden, begun at the 1858 convention, was perhaps not so much Shakespearean as Greek, with fate rather than a personal flaw as a dominating factor in the story. Perhaps the great tragic fault in Holden's life existed not so much in Holden himself as in the fact that he was born in the time and locality which fate picked for him. Despite his success as an editor and his undoubted love for his state, he, with his broad conception of democracy, always seemed slightly out of place in North Carolina's ante-bellum society, a figure it could not quite understand and so must crush; whereas, in a western state, for instance, or at a later time, any spirit of class-consciousness might have vanished from his thinking, and such a barrier might not have been raised against him to arouse the bitterness one can observe growing both in him and in others. The pity is that his contemporaries could not use to fullest advantage for the state the fine talents which not even his bitterest enemies failed to attribute to him at any time.

---

[87] *Fayetteville Observer*, Nov. 20, 1860.

THE NEGRO POPULATION OF GUILFORD COUNTY, NORTH CAROLINA, BEFORE THE CIVIL WAR

By William Edward Farrison

Exactly when Negroes were first settled in Guilford County seems to be unknown. Existing accounts of the settlement of the county[1] give no direct answer to this question, but from them some inferences may be drawn which may be worthy of consideration. It seems quite probable that there were no Negroes among the first settlers in the county, for there is no reason to believe that there were any free Negroes among them, and probably very few, if any, of them were yet wealthy enough to own any Negro slaves. The majority of them had only recently arrived from Europe, and they were now (in the middle of the eighteenth century) migrating to the frontier in search of better economic opportunities than they had found in the more thickly settled parts of the several provinces. This fact strongly suggests that they had accumulated little or no property in the form of either slaves or anything else, for prosperous people would not have been likely to move from settled communities to a frontier to better their economic condition.

The probability that there were few or no Negroes among the first settlers of Guilford County is strengthened by the fact that for five or six years after this county was settled the whole section of which it is a part had only a very small Negro population. According to W. L. Saunders, in the territory between Hillsboro and the mountains—that is, in most of what is now called the piedmont section of the state—about the year 1754 "the black population, young and old, male and female, did not reach five hundred."[2] According to the tax returns for 1754 from Rowan County, which then included most of western North Carolina,[3] there were 1,116 white and

[1] W. L. Saunders, editor, *The Colonial Records of North Carolina*, index references to Guilford, Orange, and Rowan counties, and also to Negroes, population, and slavery; R. D. W. Connor, *Race Elements in the White Population of North Carolina* (Greensboro, 1920), pp. 83-84; Sallie W. Stockard, *The History of Guilford County, North Carolina* (Knoxville, Tenn., 1902), pp. 13-16; Stephen B. Weeks, *Southern Quakers and Slavery: A Study in Institutional History* (Baltimore, 1896), map opposite p. 400.

[2] *Colonial Records*, V, xl-xli.

[3] John H. Wheeler, *Historical Sketches of North Carolina from 1584 to 1851* (Philadelphia, 1851, 2 vols.), II, 356.

54 Negro taxables in that county.[4] According to the tax returns for the same year from Orange County, which then included most of north central North Carolina, there were 950 white and 50 Negro taxables in that county.[5] It should be remembered that it was out of adjacent parts of these counties that Guilford County was erected in 1770.[6]

The figures just given did not include the whole of either the white or the Negro population, for taxables included only white males sixteen years of age or more and Negro slaves of both sexes sixteen years of age or more.[7] It is not improbable, moreover, that these figures are not accurate, for three reasons. First, census-taking at the time was not systematic; second, in order to minimize their taxes, slaveowners possibly made incorrect returns concerning the number of their slaves; third, they might not have known the ages of many of their slaves, and if they did not, it would be taking a great deal for granted to assume that they erred in favor of the government. But even when all possibilities of errors in these figures are considered, they still seem to indicate that during the years immediately after the area now known as Guilford County was settled, its Negro population was exceedingly small.

If the first white settlers brought no Negro slaves with them, no doubt they acquired some not long after they were permanently settled in the county. They might have been expected to do so, for there was, no doubt, plenty of work to be done in the new community; and there was an ample supply of slave labor in Virginia, eastern North Carolina, and South Carolina.[8] It seems quite probable, therefore, that the early settlers of this county acquired Negro slaves from one place or another in these provinces.

Concerning the growth of the Negro population of the county from this time to the end of the colonial period no reliable data seem to be available—indeed none of any kind except what have already been given. From 1790 on, of course, the statistical history of the population of the county can be traced in the

---

[4] *Colonial Records*, V, 152, 320.

[5] *Colonial Records*, V, 320.

[6] *Colonial Records*, VIII, 353, 402; *The Public Acts of the General Assembly of North Carolina* (revised by James Iredell and Francois X. Martin, New Bern, 1804, 2 vols.), I, 174.

[7] *Colonial Records*, IV, 1060, 1064.

[8] In 1756 there were 43,317 white and 60,078 Negro taxables in Virginia. In 1757 there were 40,000 Negroes in South Carolina. Between 1748 and 1755, 20,062 Negroes were imported by water into North Carolina. *Colonial Records*, V, 314, 564-565, 766.

several decennial reports of the United States Bureau of the Census.

Throughout the period of slavery the Negro population of Guilford County, and also that of most of the counties west and southwest of it, was much smaller than the white population in comparison with the ratio between the Negro and the white population of the eastern counties of the state. This difference was due, to a great extent, to the influence of economic geography. It is a generally accepted fact that throughout the period of slavery the Negro population of the several sections of the South grew fastest where slave labor was most profitable and slowest where it was least profitable. It may be said, therefore, that as a rule in any given community in the antebellum South the growth of the Negro population varied directly with the demand for, and the value of, slave labor.

In some Southern communities, however, the growth of the Negro population during the period under consideration was affected to a considerable extent by peculiar local racial and social influences. This was true of Guilford County. Both these and the influence of economic geography must be considered in some detail. The racial and social influences will be considered first.

Mainly because of religious scruples against slavery, many of the Friends who settled in Guilford County never owned any slaves at all,[9] and practically all of those who did own some emancipated them in 1774 or soon afterwards.[10] Going still further, with others in the state the Friends tried to start a general movement toward emancipation, and they kept up their efforts in this direction until after the beginning of the nineteenth century.[11] By this time the metamorphosis of slavery into "a peculiar institution" had been begun, and the government of the state had begun to enact more and more stringent laws against emancipation.[12] But even afterwards the Friends continued their efforts in various ways. As an organization they did a great deal not only to help free Negroes to get out of the state but also to encourage those who were at all inclined to

[9] Levi Coffin, *Reminiscences* (Cincinnati, 1876), p. 11.

[10] Stockard, *History of Guilford County*, p. 6.

[11] Accounts of Friends' petitions to the General Assembly of North Carolina praying for emancipation may be found in Walter Clark, editor, *The State Records of North Carolina*, XIII, 659-660; XVIII, 53, 54; XX, 141, 155.

[12] The texts of some of these laws may be found in *Laws of the State of North Carolina* (revised by Henry Potter and others, Raleigh, 1821, 2 vols.), I, 270-271, 376-377, 587-588; II, 801, 947, 1446.

emancipate their slaves to take them to free states where they could easily do so.[13] Meanwhile, individuals in their group did a great deal to help fugitive slaves escape to free territory.[14]

The antislavery activities of the Friends gave Guilford County, particularly the vicinity of Guilford College and Greensboro, the reputation for being more liberal toward Negroes than were the neighboring counties—especially those immediately to the east. This reputation began to grow up during the American Revolution, shortly after the Friends emancipated their slaves. By the first decade of the nineteenth century it had gained rather wide credence; and as a result a considerable number of free Negroes migrated to the county, though the general tendency of the Friends' influence was now definitely toward the encouragement of emigration.[15] By the end of the Civil War the reputation of the county jail for a liberal attitude toward Negroes had become very generally known not only among the Negro slaves in the neighboring counties in North Carolina but also among those in the south central counties of Virginia.[16] In these communities, where the antislavery sentiment was almost nil, especially in the counties to the east of Guilford County, where the plantation system had gained a hold, and where, consequently, the Negro population had begun to increase out of proportion with the white population, slavery had become a rather inhuman institution. In order, therefore, to get away from the harsh life of these communities, many Negroes, as soon as they found that they were free, migrated to Guilford County and finally settled there. Thus it may be said that until the time of the Civil War the influence of the Friends tended to retard the growth of the Negro population of the county, but that immediately afterwards it tended to accelerate this growth.

German settlers did not form an isolated community in Guilford County, as they did elsewhere in the piedmont section of the state. Those who settled in this county—principally in the eastern part of it—became a part of the general community before the end of the colonial period, and as a group they had no direct influence on the development of slavery and hence none

[13] Weeks, *Southern Quakers and Slavery*, pp. 224 ff.
[14] Coffin, *Reminiscences*, chaps. I and II.
[15] Coffin, *Reminiscences*, pp. 32 ff.
[16] This statement and the two following it are based on information given to the writer by several ex-slaves in interviews he had with them in the summer of 1935. All of them, along with others to whom they referred, migrated from the communities referred to and settled in Guilford County shortly after the Civil War and have been in this county ever since. The reason they gave for settling in this county was the one explained above.

on the growth of the Negro population. Whatever influence they might have had as individuals—as antislavery crusaders, slaveowners, or slave traders—is probably now past finding out.

It was due chiefly to the Scotch-Irish, by far the largest racial group to settle in the county, that the institution of slavery and therewith the Negro population grew to the extent that they did during the period of American slavery. But this growth was opposed by something more subtle than the antislavery activities of the Friends. It was opposed by economic geography. Before the Civil War the difficulty of getting large amounts of products of any kind to market prevented the development of both large plantations and large industries in the county. As there were neither waterways nor good roads in or near it, this difficulty was not overcome until after the war, when a railway system was developed throughout the state.[17] Consequently, there was no demand for a large supply of slave labor; and those who might have been inclined to bring large numbers of Negro slaves into the county, and thereby to accelerate the growth of the Negro population, did not find it profitable to do so.

In a still more subtle way economics and geography tended to check the growth of the Negro population of this county, as elsewhere in the piedmont section of the state. Early in the nineteenth century the opinion began to spread through piedmont Virginia and North Carolina that it was more profitable to rear slaves and sell them to the planters in the deep South than to keep them for local use, where plantation farming was not very profitable.[18] This opinion found some favor in Guilford County, and slave traders began to find increasing numbers of slaves for sale in this community.[19] Thus the slave trade to the deep South tended to retard the growth of the pre-Civil-War Negro population of this county, as of other parts of piedmont

[17] For a traveler's description of a typical North Carolina road in the 1830's, see Harriet Martineau, *Society in America* (London, 1837), II, 172-176. Quoted in Hugh T. Lefler, editor, *North Carolina History Told by Contemporaries* (Chapel Hill, 1934), pp. 211-212. For an account of road conditions—mostly bad—in the piedmont section of North Carolina in 1853, see Janie A. Patterson Wagoner, "Rare Hospitality in Old Southern Taverns," *Greensboro Daily News*, Sunday, June 7, 1936, section I, page 12.

[18] Frederic Bancroft, *Slave-Trading in the Old South* (Baltimore, 1931), chapter IV. The idea of increasing slaves by breeding and rearing them was by no means new in North Carolina in the 1800's. It seems to have become a rather common practice in eastern North Carolina early in the eighteenth century. John Brickell, *The Natural History of North Carolina* (Dublin, Ireland, 1737), pp. 274-275.

[19] About half a dozen ex-slaves told the writer in interviews in the summer of 1935 of the buying of slaves in Guilford County and in the neighboring counties on the east by slave-traders who were supplying the plantations of the deep South, apparently in the late 1850's.

North Carolina and Virginia, though to what extent it is probably impossible to say.

In spite of racial, social, geographical, and economic influences to the contrary, the Negro population of the county did grow. From the table below it may be noted that between 1790 and 1830 the free Negro population of the county increased very rapidly, more than doubling itself in each of the last three decades of this period. These remarkably large increases were very probably due principally to the influence of the Friends, which has already been discussed. Free Negroes migrated to the county because of the liberal attitude of the Friends toward Negroes; but it should be remembered that the influence of the Friends, with that of economic geography, tended to retard the growth of the Negro population as a whole; and since the free Negro population was such a small part of the total Negro population, even the exceptionally large increase in the former between 1790 and 1830 was by no means sufficient to offset noticeably the influences which tended to retard the growth of the latter.

From the table it may also be noted that between 1830 and 1860 the free Negro population of the county grew by abnormally slow rates—rates much lower than might have been expected from natural increase. These were probably due to the emigration of free Negroes from the county—emigration which was greatly encouraged during this period not only by the Friends but also by the state government itself. It was near the beginning of this period that the General Assembly enacted laws to prohibit the immigration of free Negroes into the state, and also to prohibit the return of free Negro residents who spent more than a stipulated amount of time out of it.

According to rate of growth, the history of the slave population of Guilford County from 1790 to 1860 may be divided into four periods; namely, 1790-1810, 1810-1820, 1820-1830, and 1830-1860. As a glance at the table will show, there were considerable differences between the rates of growth of every two of these periods taken in order. The first period was characterized by very high rates of growth—rates very much higher than could have been caused by natural increase alone. The second period was characterized by a rate that might have been due principally to natural increase. Like the first period the third was characterized by an abnormally high rate, and

THE POPULATION OF GUILFORD COUNTY, NORTH CAROLINA, 1790-1870*

YEARS	WHITES		FREE NEGROES		SLAVES		PERIODS OF GROWTH OF THE SLAVE POPULATION
	Number	Per cent of increase	Number	Per cent of increase	Number	Per cent of increase	
-1790	6,648		27		516		
1790-1800	8,497	27.81	40	48.15	905	75.39	
1800-1810	9,850	15.92	103	157.5	1,467	62.1	I
1810-1820	12,692	28.85	208	101.9	1,611	9.816	II
1820-1830	15,761	24.18	582	179.8	2,594	61.02	III
1830-1840	15,891	– .8248	637	9.45	2,647	2.043	
1840-1850	15,874	– .0107	694	8.948	3,186	20.36	IV
1850-1860	15,738	– .0856	693	– .0144	3,625	13.8	
1860-1870	15,656	– .052	6,080	40.8			

* *Ninth Census of the United States*, 1870, I, 53-54; also *Negro Population, 1790-1915* (Washington, D. C., Government Printing Office, 1918), pp. 748 ff.
The numbers in columns 2, 4, and 6 represent respectively the white, free Negro, and Negro slave population of the county for the years indicated by the dates on the right-hand side of column 1. The two dates taken together in this column indicate the periods to which the percentages in columns 3, 5, and 7 refer.
A minus sign before a percentage figure indicates a decrease.

like the second the fourth was characterized by rates that might have been due principally, if not wholly, to natural increase.

How should these abnormally high rates of growth be explained? In all probability they were due to importations.[20] It is understood, of course, that the growth of the population of a community may be accelerated by causes other than natural increase or immigration, whether voluntary or involuntary. It may be accelerated, for example, by a lowering death rate, or by the absence of emigration. With regard to the former possibility, however, there is no reason to believe that it caused any noticeable increase in the slave population of any section of the South at any time during the period of slavery, for slavery as an institution was never especially conducive to longevity in the slave. As far as Guilford County is concerned, the latter possibility hardly needs to be considered, for there is no reason to believe that there was any appreciable stoppage of emigration from this county before the 1820's; and as has been pointed out, after that time forced emigration *tended*, at least, to retard the growth of the Negro population, except, possibly, between 1820 and 1830. On the basis of the figures in the table, then, it seems probable that between 1790 and 1810 a considerable number of Negro slaves were imported into Guilford County; between 1810 and 1820 only a small number, if any, were imported; between 1820 and 1830 either a very large number were imported or none at all were exported; and that between 1830 and 1860 the number of importations were insignificant, if there were any at all.

This point of view is supported by four groups of facts belonging to the general history of the period of slavery. (1) Between 1790 and 1808, especially between 1800 and 1808, the slave trade from Africa to the United States—at least from foreign places to it—was on a large scale.[21] The causes of this new flourishing of the trade are rather generally known. In passing, however, it may be noted that not the least of them was the desire of the slaveholding territory to supply its demand for

[20] In this discussion the term *importation* is used to refer to the bringing of Negro slaves into a given community for use as laborers, whether they were brought from elsewhere in the United States or from without. The term *exportation* is used to refer to the selling or sending of Negro slaves out of a given community, whether to some other place in the United States or outside of it.

[21] W. E. Burghardt Du Bois. *The Suppression of the African Slave-Trade to the United States of America, 1638-1870* (Cambridge, Mass., 1896), chaps. VI and VII and appendix B.

slaves as fully as possible before the Federal government could prohibit the trade from Africa. Since there was such a general influx of Negro slaves into the South during these years, the slave population of this county might have been expected to increase as a result of this influx.

(2) Between 1810 and 1825 the antislavery sentiment in Guilford County was strongest; and as has been previously noted, this sentiment tended to retard the growth of the Negro population of the county by the encouragement of emigration. Equally as important, no doubt, is the fact that although the Federal laws against the African slave trade which went into effect in 1808 never completely stopped the trade, they did minimize it during the years that immediately followed their enactment—before they became dead letters. These two facts doubtless account to some extent for the small rate of increase of the slave population of the county between 1810 and 1820; but in addition to the emigration brought about by the antislavery sentiment in the county, there was some slave-trading out of it to the deep South, and this fact also helps to explain the small rate of growth.

(3) By 1825 the antislavery activities in Guilford County had been remarkably decreased by the emigration of the Friends and the enactment by the General Assembly of increasingly stringent laws to protect the interests of slaveholders.[22] Meanwhile, the failure—if not refusal—of the Federal government either to enforce its own laws against the African slave trade or to cooperate with the several European powers in enforcing an international law against it became more and more evident.[23] As a result this trade began to flourish again.

Most of the Negro slaves who were brought into the United States after 1820 were disposed of in the deep South, but this supply of them brought about a decrease in the demand there for slaves from the slave-exporting states, especially since the newly smuggled-in slaves could be bought cheaper than those brought up in America could be. The operation of this simple law of supply and demand, coupled with a remarkable decrease in antislavery sentiment, probably served negatively to increase the slave population of Guilford County between 1820 and 1830.

---

[22] Compare p. 321, n. 12.

[23] W. E. Burghardt Du Bois, *Suppression of the African Slave Trade*, chaps. VIII and IX, appendix B.

This is to say, the slave population of the county was considerably increased during this decade by the stoppage of exportations, and possibly to a small extent by importations.

(4) After 1830, as the "Negro-Fever" rose higher and higher,[24] large-scale trading from Virginia and also the Carolinas to the deep South flourished. This fact seems to indicate that by that time the supply of slaves in these states, especially in the piedmont sections of them, was considerably in excess of the demand. Here again, therefore, the operation of a simple law of supply and demand not only must have reduced importations, both legal and illegal, to naught, but also must have tended to check the natural growth of the slave population. Hence it seems reasonable to believe that the relatively slow rates of growth of the slave population of the county between 1830 and 1860 were due primarily to exportation, and perhaps to a small extent to the absence of importation.

If any considerable number of Negro slaves were imported into Guilford County between 1790 and 1810 and between 1820 and 1830, they were probably not imported directly from either Africa or the West Indies. At least, no evidence of importations directly from outside of the United States has been found. The most convenient as well as most probable sources of supply were still south central Virginia, eastern North Carolina, and South Carolina, as they had been in the 1750's, for all of these places still had an ample supply. After 1794 the most convenient of them was eastern North Carolina, for in that year the General Assembly enacted a law prohibiting the importation of slaves "by land or water."[25] In the next year this law was modified somewhat by the enactment of another prohibiting immigrants from bringing into the state slaves more than fifteen years of age from "any of the West India or Bahama islands, or the French, Dutch, or Spanish settlements on the southern coast of America."[26] This new law was prompted by the fear of insurrections which the Haitian revolution under Toussaint L'Ouverture had stirred up in the slave-holding states. In 1796 the law of 1794 was amended for the convenience of slaveholders living near the northern and

---

[24] Frederic Bancroft, *Slave-Trading in the Old South*, chap. XVI.

[25] *The Public Acts of the General Assembly of North Carolina* (revised by James Iredell and Francois X. Martin), II, 53.

[26] *Laws of the State of North Carolina* (Revised by Henry Potter and others), I, 786.

southern boundaries of the state,[27] but it was not repealed during the remainder of the period of slavery. As the enforcement of these regulations, however, was probably never as strict as the letters of them were, though they gave some impetus to the intrastate trade, they probably did less to prohibit importations into any part of the state than economic conditions did.

---

[27] *The Public Acts of the General Assembly of North Carolina* (revised by James Iredell and Francois X. Martin), II, 94.

REPORT OF THE BRETHREN ABRAHAM STEINER AND FRIEDRICH CHRISTIAN VON SCHWEINITZ OF THEIR JOURNEY TO THE CHEROKEE NATION AND IN THE CUMBERLAND SETTLEMENTS IN THE STATE OF TENNESSEE FROM 28TH OCTOBER TO 28TH DECEMBER, 1799.[1]

[*Translated in full, except for a few repetitions.*]

Edited by ADELAIDE LISETTA FRIES

When the Unitas Fratrum, or Moravian Church, sent a group of members to Savannah, Georgia, in 1735, one of the avowed purposes was the evangelization of the Indians. For various reasons the Moravian settlement in Georgia was given up, but in 1741 a permanent settlement was begun in Pennsylvania, and a widespread and successful mission work was carried on among the Indians there. The same idea was in the minds of the men who planned the Moravian settlement in North Carolina in 1753, but the Cherokee War and the Revolutionary War delayed action.

In 1783 Martin Schneider, a young man living in Salem, North Carolina, was sent to the Cherokee land on the Tennessee River, to investigate conditions and see whether mission work might be begun. The interesting diary of his journey is published in the *Records of the Moravians in North Carolina,* V, 1975-1988.

Again there was unavoidable delay in beginning the work, and in 1799 two more Salem men were sent to investigate possibilities. Both were laymen. Abraham Steiner, the leader, craved mission work, but his health forbade, and he was later ordained and served acceptably in the home field. Friedrich Christian von Schweinitz had come to Salem to be with his widowed grandfather, Reverend Frederic William Marshall; later, after the death of Marshall, the grandson returned to Europe.

In 1799 the Cherokee nation possessed a considerable quantity of land in what are now Tennessee and Georgia. The diary kept

[1] At that time members of the Moravian Church were accustomed to address each other as *Brother* or *Sister*. Brother Steiner and Brother von Schweinitz had been sent by the official board of Salem, now Winston-Salem, North Carolina, to investigate the possibility of establishing a mission among the Cherokee Indians.

by Abraham Steiner is of value for the contemporary information it gives as to roads, conditions under which the white settlers lived, and the situation and customs of the Indians.

Incidentally it may be noted that at that time the Moravian members called each other *Brother* without regard to rank or occupation. It should also be mentioned that after more journeys and further consideration a mission among the Cherokees was established in what is now northwest Georgia. This mission lasted until the forced migration of the Indians to the Indian Territory, when the Moravian missionaries followed their converts to their new home.

On *27th October* we were commended to the Saviour by the congregation of Salem in the morning and by that of Bethabara[2] at the evening meeting, and in the singing of several verses we were blessed for our approaching journey. Br. Schweinitz went from Salem to Bethabara in the afternoon, accompanied by his grandfather, Br. Marshall,[3] of Salem. On *the 28th*, about seven o'clock in the morning, we set out. Br. Marshall and several other Brethren accompanied us for some miles beyond Bethania.[4] We were joined by several neighbors and together continued our journey, and by evening reached the home of Doctor David Davis, twenty-six miles from Bethabara. He lives in Surry County, not far from the Pilot Mountain, in a region broken by hills and valleys and largely wooded with pine. We spent a pleasant evening with him, and had an edifying conversation on religious matters.

Early in the morning of *the 29th* we left our friendly host and went six miles to the home of Mr. Faulkner, a Baptist preacher. As he was acquainted with Br. Steiner he invited us to breakfast, talked with us about the object of our trip, and wished us the blessing of God upon it; he had already commended us to God in his prayers the preceding evening. This neighborhood is known as *The Hollows*, perhaps because the farms are scattered about in the narrow valleys. In the evening we reached the foot of the Blue Ridge, and stopped with a Mr. Penn, seven miles inside Patrick County, Virginia. There we were poorly served, for the head of the house was away, and the care of travelers was left to a negro woman.

On *the 30th* we climbed the mountains,—Wards Gap[5] was recommended to us as the best way, since it is kept in good repair. For a good mile we had a steep, rocky road. The forest was largely of beech trees. The higher we climbed the more beautiful became the country and the growth of the trees. From a cliff at the side of the road we looked over what had once been a field, judging by the scattered cherry trees, and had a wide view toward the Sauratown Mountains, the Pilot, and a broad stretch of land.

---

[2] A Moravian village six miles northwest of Salem.
[3] Rev. Frederic William Marshall was a leader of the Moravians for many years.
[4] Another Moravian village, three miles from Bethabara.
[5] The Wards Gap road runs by Mt. Bethel, Virginia, and across the Blue Ridge by way of Hillsville to New River.

Half way up the mountain we found the first plantation. There are more higher up. They raise especially fine rye, and on the steepest hillsides there were excellent clover and Timothy grass.

Fourteen miles from the foot of the mountains we breakfasted with Mr. Isaac Green, a well-to-do Quaker in Grayson County. The well-built houses, the cleanliness of his home, and the abundant supply of provision for man and beast, showed the wealth of the owner. In a valley near the farm flows a beautiful stream which runs into New River.

Some miles from here we saw the first spruce and white pine, which now became more plentiful, and with their beautiful green color were a true adornment to the mountains. From Poplar Camp Mountain, the highest that we climbed today, we descended into a narrow valley. By a mill-pond, along which there was a poorly kept road, laid with saplings, there stood several saw-mills and an inn, and a forge is to be built.

Toward evening we reached Austinville, in Wythe County, four miles from Poplar Camp. It takes its name from the owner of the lead mine[6] which is worked here. The town lies on a pleasant level tract, surrounded by high rocks and mountains, and although it lies low it is very healthful, as is the entire region. It is on the beautiful, clear, stream known as New River; is regularly laid out; and has a number of good buildings, especially the house of the owner, Mr. Austin. Most of the residents work in the mines, which are a mile away, rich in lead, and not over one hundred feet deep. The best parts, however, are full of water, and no method has yet been found to get it out. The bellows for the melting-furnace are worked by water, which comes from a spring not two hundred feet away on a hillside; the ore is washed immediately below the spring. With pleasure we noted the beautiful meadows and fields beside the river, which has a large fall just above the town. Not many fish are caught in the river itself, but in its tributaries there are trout of unusual size. This New River further down is called the Great Kanhava,[7] and some years ago Mr. Moses Austin went on it from here to Illinois in a large boat. The inn is good; it is kept by Mrs. Jenkins, a widow from Wales in England. The price of the best river bottom land is $15 per acre.

On *the 31st* we crossed New River and rode up Cripple Creek to the Heads of the Middle Fork of Holston. The land on this creek is very hilly, and in the dark valleys, clothed in spruce and white pine, lie saw mills and powder mills. From here up to the source of the Holston, and then down that river, the country is thickly settled, and one finds fine farms, some with one hundred and fifty to one hundred and seventy acres of cleared land which is very fertile. Many Germans live on this river.

In the afternoon we reached the great road which leads to Knoxville and Kentucky; and in the evening we stopped with a German inn-keeper, Philip Acker, by whom we were well received. Two travelers from Kentucky, who also spent the night here, confirmed the story of a robber band, of which we had often heard on our way. Two brothers, Harp by name, have killed many persons in the western district, especially

---

[6] The remains of a shot tower may be seen in the vicinity of the lead mines near New River.
[7] An important Indian trail ran along the Kanawha Valley.

in the wilderness on the road to Kentucky, and that not for the sake of robbery or of revenge but for the pure love of murder. They travel with a number of pack-horses, and have women in their company. They attack rich and poor, and are said to have ended the lives of about one hundred persons, of all ages and both sexes. One of the Harp men was shot recently by a party which chased him after he broke into a house and murdered the family, and the women were captured. It is thought that the other brother fled through North Carolina to the sea-coast in order to cross to the West Indies. When we heard such reports we commended ourselves to the almighty protection of our Lord, and were not frightened. It added to our peace that these murders were not in the part of the wilderness through which we were to pass, but more to the north in the Kentucky wilderness.

With Mr. Acker and his wife, who are Lutherans, we had some conversation about religion and christianity. They told us that this region was well supplied with Lutheran and Reformed preachers, who often held services in their house.

About twenty miles from here, in Washington County, are the salt springs, from which this county is supplied with salt. There are three of these springs, one of which is 140 feet deep, in which the water stands almost constantly at one hundred feet. From this spring about 150 bushels of salt is boiled each day, and if this goes on all week the water falls about fifteen feet in the well, but on Sunday, when no work is done, the water returns to its usual depth. The water is lifted by a machine driven by horse-power.

On *Nov. 1* we started early and had thirty-six miles to Abingdon, but because of the dry weather the roads were unusually good. Six times we crossed the Holston River, which here is of little consequence. By the road stood several German churches, one very large and of good appearance. The land was well cultivated, and we rode by a number of fine farms which showed that their owners were in good circumstances. Corn is little grown because of the early frosts in autumn, but the small grains, flax and cabbage do well. In the meadows are Timothy grass and red clover, which the farmers use instead of letting their cattle feed in the woods, that being of small use because of the many farms. Among the trees we noted sugar-trees, locusts, walnuts, and several varieties of oak, among which the very strong white oaks were outstanding.

Abingdon lies in Washington County, on a number of hills, has streets well laid out, and some good brick houses. It is a new town, has about forty houses, and will grow rapidly. There is good trade with the regions to the west.

We rode about a mile further, passing a large tanyard, and stopped with Mr. Craig, where we found good lodging. The rooms with their pretty carpets and furniture, and the stone out-buildings, astonished us. This man has a fine farm, with a mill and still-house, both built of rough stone. Practically all the still-houses here are built on the small streams, from which the water is lifted by a wheel and delivered to the cooling vats and kettles. From here it is counted seven miles in a direct line to the Tennessee boundary, and eighty miles to the edge of Kentucky.

Nov. 2. As we wanted to call on an acquaintance, Mr. Schaefer, who used to live in Abingdon but some time ago moved from there to a mill, we turned from the highway and followed a mill-road to his house. This road led among steep mountains, called the Knobs. These Knobs are close together in the hills which lie in every direction. In the narrow valleys between them are farms, mills, and distilleries. We did not find Mr. Schaefer at home, but his wife received us well. After spending a little while in this house we rode further, and decided to go down the Carolina, or Great Watauga Road, as it was the nearest. In the afternoon we reached Sullivan County, in the state of Tennessee, and found again good farms. In the house of a German we saw an iron stove, which had been poured at iron works some miles from there. In reply to our inquiry the housewife told us that a large number of Lutherans live about there, and that religious services are held frequently.

Toward evening we again crossed the Holston, which there was a stream of some size, and made a great noise as it rushed over the rocks. We stopped for the night at the home of a Mr. McCorkle, a relative of the Rev. Doctor McCorkle near Salisbury, who received us very courteously. He did not care to talk about anything except the recent acts of assembly. His wife entertained us with accounts of her many duties and her weariness. The place has been laid out for a new town, which as yet has no name. At present there are about eight new houses along the road.

The 3rd. It was Sunday, and we rejoiced to think that in our congregations they would include us in the prayers for those who travel. This morning we passed the Watauga, one of the chief tributaries of the Holston. It runs very rapidly and the ford is deep, so we were thankful that a German, who owns land there and is acquainted with the ford, piloted us through it. Ten miles from the Watauga we reached Jonesboro,[8] in the Nolachuky neighborhood. The land here is very good and strong, and for the most part level, and the raising of cotton begins again here. The families boil much tree-sugar, amounting to more than a thousand pounds. Now the price was 16½¢ a pound, but in spring merchants buy it for 12½¢. The weather has been so mild that the leaves were still green on most of the oaks and locusts, and even on many of the chestnuts.

Jonesboro consists of one long street, has about thirty houses, and—like all towns of the back country—it is growing. The host of the house where we stopped, in addition to caring for travelers, also has an apothecary shop.

Ten miles farther on Green County begins, in which we this afternoon passed through Leesburg, or New Washington, which is a quite new town, and not bad looking for the short time it has been in building.

Six miles farther we came to the home of Mr. Stanfield, and remained there over night. His wife was very friendly and we had a pleasant conversation with her. She rejoiced that the Indians might hear the Gospel. She knew the Indians, for formerly some of her relatives had been traders living among the Cherokees. She said that in the last war an Indian woman of the Delaware Nation had come among the Cherokees, had been

[8] Jonesboro was one of the communities often visited by Daniel Boone.

captured by whites and brought to Campbells Station. This woman had books in which she read, had often sung, and frequently prayed upon her knees, especially in the morning and evening, even during the night she had been heard praying in her bed. She also had a written certificate of baptism. Finally she was driven away, and none knew whither she had gone. To our question: "Who wrote the baptismal certificate for her?" Mrs. Stanfield could give no answer.[9] During the night there was an alarm and the entire family got up, fearing thieves. Forcible entrance into houses and robberies are here not unusual, and the people in our inn warned us especially about the country through which we must pass.

The 4th. This morning the weather changed completely. Yesterday it was warm and threatened rain; today a sharp wind blew, and it froze, yet the trees were remarkably green for the time of the year.

Greenville, in Green County, through which we passed, is a little town of something more than twenty houses, has some good buildings and is regularly laid out. An academy has been begun.

From here we passed into a very poor territory, full of hills and pine forests. For some miles a German miller traveled in our company, who told us that the bottoms were very good but the uplands of little value. By the side of Lick Creek the road led us through a long bottom, with beautiful trees, but the land cannot be cultivated because the creek, in spite of its high banks, covers the entire bottom in times of heavy rain. A very high wooden bridge, with only a single span, is used then, and one must pay 12½¢ toll. We rode through the water, which was low. We saw few farms.

Our night quarters we took with Colonel Ruddy, in Jefferson County. The overseer of this farm was very busy when we arrived, and apparently wanted to show his authority, but rode away without taking care of us, going to a Baptist meeting, which was held tonight some miles away by a Baptist preacher from South Carolina. With the lame Colonel we had a meagre evening meal. As the mill-dam had broken there was no bread in the house, in place of which we were given sweet potatoes. Colonel Ruddy belongs to the Baptists, and seems to be a man who loves the Saviour and is not without experience of grace in his heart, as we concluded from his conversation with Br. Steiner. He inquired about things in the Unity of Brethren,[10] saying that he had always liked the good order in the town and in the meetings which he had often attended in Salem, and that although he could not understand the language he had always been impressed.

We had been traveling the Great Road leading to Kentucky and Cumberland, and some miles behind Colonel Ruddy's we reached the place where the road forked, going right to Kentucky and left to Cumberland.[11] This is the neighborhood of which we were warned yesterday, as many thieving rascals harbored there. We passed through a region which for lack of water is called Pine Barrens. The soil looked thin and not very

---

[9] The Moravians in Pennsylvania had done much missionary work among the Delaware Indians and this may have been one of their converts.

[10] The *Unitas Fratrum,* or Moravian Church. The Latin form, its translation, and the modern term Moravian Church are equally correct in referring to this oldest of Protestant denominations, which came to the New World in 1735.

[11] In Tennessee.

good, but we were received on a pretty farm, with a new two-story house and a fine spring; the owner used to live four miles from Lititz,[12] and often attended the services of the Brethren. He told us that although the land looked poor it was really strong, and after he had cultivated it for sixteen or seventeen years it still produced fifty to sixty bushels of corn to the acre. Major Jackson from Philadelphia, an acquaintance of Br. Haga, was there and wished to buy the farm. He already owns ten thousand acres here, and assured us that these pine hills were stronger than the best land in Cumberland.

We proceeded by Haines' iron works and mill, and four miles further reached the home of Mr. Braselton, a Quaker, who came through Salem a few days before our departure, on his way to a meeting of his fellow Quakers in North Carolina, at which time he gave us a route for our journey from Salem to Knoxville, and kindly invited us to stop at his house. He had not yet returned, and his children regretted much that their old father was away, as it would have given him special pleasure to speak German with us. He had learned the German language at school in Pennsylvania, and took no small pains to speak it grammatically. His son advised that we go to the inn in Knoxville where Mr. Bullen lodged on his way to the Chicasaws. Here we had the first detailed information about the stay of Mr. Bullen among the Chicasaws, and about the arrangements made with the Cherokees. It was not long after noon when we reached here, but one of our horses was sick, so we decided to stay over night. So far we had had dry, pleasant, weather, and the finest roads, but tonight there was a hard rain, which continued on *the 6th*, though not heavily. From Braselton we had eight miles to Macby's ferry, where we were set across to the north side of the Holston; we had come down stream on the south side. Here the river is broad and deep; in a dry season a man can ride through it higher up.

The sixteen-mile ride from the ferry to Knoxville was very unpleasant, on account of the rain and slippery roads across the hills. Some of the mountains are stony, and the road is covered with limestone. We were glad when we reached Knoxville safely in the afternoon about four o'clock. We alighted at Captain Stone's; he is a German and received us most politely. We found out at once that this was the house in which the Rev. Joseph Bullen stayed on his way to the Chicasaws, to whom he was sent by the New York Missionary Society. As the post was about to leave we took the opportunity of reporting our safe arrival to Salem.

Nov. 7. The warm morning we utilized by looking about Knoxville. It lies in Knox County, on the north side of Holston, on a number of hills, and has about one hundred houses, all built of wood, but the newer ones are two-story frame houses. A new brick building was erected for Governor Sevier. The two-story courthouse, of limestone, is not yet finished. The former barracks stand not far from it on the highest square, are two stories high, with wings, and have been used for the meetings of the assembly. At the north end, on a high, level place stands a large, unfinished, frame house, which was intended for an academy, but the town school is now held there. The burial place seems to be there also, as one saw

[12] A Moravian town in Pennsylvania.

many graves, placed without order near and across each other, some fenced singly, some not enclosed at all. Stores are numerous, and besides our inn we counted five more, several of which are quite large. A merchant, with whom we had opportunity to speak, said that the constant rivalry would certainly ruin some of the stores soon. The goods are brought by wagon six or seven hundred miles, from Baltimore or Philadelphia. Nearly all necessary handicrafts are carried on here. There is a printing shop which publishes a weekly newspaper. But there is not a single house for religious services, and only occasionally is a sermon preached in the courthouse by a traveling preacher. There is an unusual lack of interest in politics. The morals of the inhabitants have much improved in recent years, since the worst characters have moved on to the frontier.

Knoxville is at present the seat of government for the state of Tennessee, and the superior court for the eastern part of the state is held here. The two parts of the state, that is the eastern, or Washington District, and the western, or Mero District,[13] seem mutually distrustful, and each part wants all the offices. This sense of division is increased by the fact that a large part of the Cherokee land, that is the hunting ground, lies between the two Districts, and they cannot get together without passing through a large wilderness.

As the weather had been warm, except for a few night frosts, we found the gardens in the place still green, and in some we saw peas in full bloom with pods hanging on the vines.

After breakfast Captain Stone took us to Colonel David Henley, agent of the War Department, whose house borders on Captain Stone's lot. We delivered to Colonel Henley the letter Br. Marshall wrote him. He received us well, with few compliments but one could see that what he said and promised was in earnest. He promised to do all in his power to further our desire to go to the Cherokees, and said that this evening he would send us a pass permitting us to travel to the Indian land. He regretted that we had not come two or three weeks earlier when all the chiefs and more than four thousand Indians had been at Tellico Blockhouse to receive their annual gifts, which consisted of about $6,000 worth of goods. These gifts are given to them annually in the fall, at a time not definitely set but following the arrival of the goods from Philadelphia, and are in exchange for the land ceded by the Indians to the United States. The gifts are handled by the War Department, and while they are being distributed the Indians are fed by the United States, drawing daily rations. As soon as the distribution is finished most of the men go hunting, some alone and some taking their wives and children, and do not reach home until after New Year. Colonel Henley thought that we would find a few men at home, which we later found to be true.

He told us further, what we had already heard from Captain Stone, that the Reverend Mr. Bullen and his son had already come from the Chicasaw Nation, had passed through the land of the Cherokees, and had

[13] The Mero District was set up by the North Carolina assembly in 1788. It was a military and judicial district, comprising the counties of Davidson, Sumner, and Tennessee. The name was chosen at the suggestion of James Robertson, apparently in an attempt to flatter Estavan Miro, the Spanish governor at New Orleans, and win his influence in stopping attacks from the Indians.

returned to New York. He believed that he would come again, though he could not say for certain. Mr. Bullen had complained that he missed having persons with whom to talk, and that he had no books to read, and this might have been too much for him. He had described the Chicasaws as well-meaning people, but he did not think at all well of the Cherokees. We heard also that he had stayed with a very well-to-do Indian either near or on Chicasaw Bluff, on the road from Natches to the Ohio. This Indian has a larger plantation than any other in the state of Tennessee, and owns more than five hundred horses, but he refuses to sell any, planning to wait until he has a thousand and then take them all to market at one time. This Indian and his family treated Mr. Bullen very well.

At Colonel Henley's house we saw some of the things made by the Indians, which proved their skill, for instance a tobacco pipe, about six inches long, of dark green stone, with a neatly made head, at the other end a dove, and in the middle the figure of a man, about two inches high, with a brandy keg between his knees. He intends to send this pipe to Princeton College.[14]

In the afternoon we made several visits, among others to Mr. Blount, formerly governor, with whom Br. Steiner had business. He remembered Salem with pleasure, and spoke with much appreciation of the Boarding School in Bethlehem, which he had visited some years ago. Through a letter he had been apprised of the purpose of our journey, and promised to do all that in him lay to advise or help us. He praised our desire, but said that the Cherokees were not yet civilized enough to hear and understand the Gospel, although they had improved wonderfully within the past years. He told us also that during the past summer, at the request of the president of Dartmouth College in New England, Mr. Fisk, from there, had been with him to learn in what way schools for the Cherokees might be begun, and he had advised him as best he could. He read to us a copy of the letter which he had written to the president of that college.

Mr. Blount was so polite as to come himself to our lodging toward evening and bring us a letter of recommendation to Captain Butler in Tellico.

The evening meal we took with Colonel Henley. He showed us much friendship, and asked that if Brethren came here to the Indians they would call on him, so that he might have opportunity to learn to know other members of our Society. In reply to our questions regarding the present circumstances of the Cherokees he said that the government would be very glad if some honest members of the Society, from whom the Indians would receive real benefit, would go to them. These people could, if the chiefs consented—which he did not doubt they would do—live somewhere in the Indian land. The Cherokee nation, indeed, was not so strong as formerly; yet it was numerous enough that all men should wish to make friends of them, for the nation was estimated to consist of about eight thousand souls, and the Upper and Lower Cherokees were in complete accord and comprised one nation. In culture and civilization they had improved much in the last few years. Last year three hundred ploughs

[14] The Cherokee Indians were famous for making ornate tobacco pipes. Numerous designs of their handiwork have been preserved, but Princeton University has no record of this particular specimen.

and as many pairs of cotton cards had been sent to the nation, and they now began to take up farming and the raising of cotton. Already a number of times cotton had been brought for sale; they had also themselves begun to spin and weave. To encourage them to raise wheat a man by the name of Hildebrand had been sent to build a grist mill for them at government expense. They had begun to realize that the government meant well by them, for which they were grateful, and they were accustomed to say that they must learn to live like the white men, for if they continued to live as they once did their race would decline and be as lightly regarded as the Catawbas are now, who once were numerous but had become a small and despised nation. They saw that the best way for them to learn and to keep their numbers was to live in peace and accustom themselves more and more to the ways of white men.

Colonel Henley said further that the morals of the Cherokees were not of the worst, but they were much given to horse-stealing, as travelers in the wilderness sometimes learned by sad experience. The stealing of horses, however, was gradually decreasing, and the chiefs were doing their best, for the reason that, according to the treaty, $50 for each stolen horse was taken from the annual gift to recompense those who claimed it from time to time. At the last distribution a considerable amount was deducted from their gifts.

Persons of good character could secure permission to trade with the Indians, but they must sign a paper agreeing that all would be done honestly and in an orderly manner, and in this paper it was definitely stated that no strong drink should be brought into the nation, and if any one should bring it in it was taken from him and he was arrested by the garrison and punished. Two Seventh-day Baptists had been living among the Indians for a number of years and were much beloved by them. Some time ago one of them was killed by a tree which he was cutting on Sunday, and the Indians considered this the punishment of God, because the man was working on Sunday; for though the Indians do not observe Sunday they think white men are not allowed to work on that day.[15] The agent for the Cherokees, Major Thomas Lewis (whose approval of our undertaking Colonel Henley did not doubt), last fall ordered many bad white people out of the nation. The Indians among whom the above-mentioned Baptist lived, had begged that he should not be sent away, and Major Lewis had told them that he had not thought of driving out the old Bearded Man; if he was of little use he was also not harmful. Later we found it more and more confirmed that all white persons who behaved badly, who injured the nation by deed or by example, even if they had stayed a long time in the nation, were driven from the land by the agent. The agent told them the day on which they must leave, and if they did not go of themselves the soldiers came and forced them out.

We also learned that Colonel Hawkins, Superintendent of Indian Affairs for the Southern Department, was staying with the Creek Indians.[16]

---

[15] Some Indians, according to Colonel William Byrd, laughed at the settlers for losing one day a week by observing Sunday. Byrd commented that the joke was on the Indians, who lost the entire seven days by reason of laziness.

[16] Some years later Colonel Benjamin Hawkins was very kind to the Moravians when an attempt was made to begin a mission among the Creek Indians.

On *the 8th*, in the morning, we went again to Colonel Henley and received from him a *pass*, and also a letter of recommendation to Major Thomas Lewis, to Captain Butler the commanding officer in Tellico, and to Mr. Hooker, factor there of the United States. At his house we met Mr. Steele, a white trader from the Creek Nation, by whom letters were sent to Colonel Hawkins. Colonel Henley recommended us highly to this trader, and he promised to help us whenever he could if he met us again in the Indian country. Mr. McKee was also present, a justice of the peace who lives on the road nine miles from Tellico, who had asked permission from the Colonel to buy horses in the Indian land. To him also were we recommended.

Apart from this we spent most of the day in our lodgings, as because of the rain the streets in Knoxville were almost impassable.

On *the 9th* the weather cleared completely. We left Knoxville in a thick fog, which covered the town, and crossed to the southwest side of the Holston. We passed through a hilly region, where we rode some miles out of our way by mistake, until we reached Little River, a clear stream with high banks. On the other side the land was more level until we reached Maryville, the county town of Blount County. This town was begun about three years ago, and consists of about twenty wooden houses, mostly good. Here we met Mr. Steele again; from a large store he had bought $700 worth of goods, and was about leaving for the Creeks with a number of pack-horses. At the end of the town stands a fairly large church, built of hewn logs; farther on we saw another, and there were several schoolhouses on the road.

Not far from town we met three Chicasaw Indians on horseback and carrying guns, and a boy with bow and arrows. As we rode by they greeted us with a nod and friendly smile. They were riding to Knoxville to Colonel Henley to get payment for some horses which white people had stolen from them.

We passed through a grass-covered, mostly level country, with a sparse growth of hickory, oak and pine. Coming to a plantation, lying well and with more than a hundred acres of cleared land, we called on Mr. McKee, whom we saw yesterday in Knoxville. He received us kindly, but as it was nine miles to Tellico and we hoped to reach there, we were soon on our way. The country is settled to the boundary of the Cherokees, which is not far from the east and north side of the Tennessee River. For the last four miles we had a talkative boy as company, who told us various things about the military discipline in Tellico, and with good intent warned us to be careful in drinking, or we might find ourselves in the guard house for twenty-four hours, as was there the custom, and might receive one hundred lashes in leaving.

Late in the evening, in clear moonlight, we reached an inn near Tellico Blockhouse, having laid thirty-seven miles behind us today. Tellico consists of barracks, built in a square on a hill near the Tennessee, and is surrounded by a pallisade sixteen feet high. It lies one mile inside the Indian land. These barracks are quite new, two stories high, and very comfortable. A company of soldiers is stationed there under Captain Butler. Inside the gate, among the older buildings are the office of the factor and

the store-house belonging to the United States. The store is carried on for the benefit of the States, under the War Department. There is no attempt to make large profits, but really to supply the Indians with goods, and so prevent fraud on the part of traders, but neither must the States lose anything, and the store must bear all expense. Goods were paid for by the Indians with skins and pelts, and also in money. Traders and Indians also take skins to Pensacola, in Florida, which is supposed to be five hundred miles from here; there they are paid in cash, which they spend in the store here, where goods are cheaper, though pelts and skins are worth more in Pensacola. Pelts taken here are sent in wagons to Philadelphia and goods are brought from there in like manner, the trip there and back usually taking four months. The cost of bringing the goods on an average is twenty per cent.

At present Mr. Hooker is the factor here. He is a young, quiet, courteous man, and he has with him two brothers, Byers by name, born in New York state, who also were polite to us. Mr. James Carey is here as interpreter, and has a yearly salary of $300. This man has often visited in Salem, was with us much, and promised us much service, but when he should have done something for us he usually mentioned an injury which he had recently received in a fall, when he hurt his side.

Sunday, the 10th. In the morning we saw a group of Creek Indians, who had driven cattle hither for the garrison; the cattle were at once brought through the river and killed. Most of them were young men, with silver rings in the nose, and long, slit ears.[17] They were short, striped shirts, a piece of blue cloth around the hips, long, leather hose, laced on the side, and Indian half-boots. In place of a coat they threw a blanket around them. One of them had painted the left eye red and the right cheek black, and was not a little pleased with himself in this fine appearance. Their wives must content themselves outside the house. In general, the Creeks bring many cattle into this neighborhood, some of them very fine. For instance, at the last gathering of the Indians here they killed one animal seventeen months old which weighed 435 pounds, and a yearling which weighed 600 pounds. Also in the Cherokee land herds of swine were often bought and driven away. In general, the Cherokees supply this garrison with butter, eggs, and fruit, especially apples, of which they raise only an early variety.

Immediately after the parade we had ourselves announced to Captain Edward Butler, the commanding officer, and were at once received. We presented to him our letters of recommendation from Colonel Henley and Mr. Blount, and he and his wife received us courteously, had breakfast prepared for us, and made a most friendly offer of lodging in their house, which we declined fearing it would interfere with our main object, which was to mix with the Indians. Captain Butler was busy and could not talk long with us, so he invited us to take the noon meal with them.

His house is artistically furnished, and on the side toward the river there are two galleries one above the other. Here we had the finest view. One can see a number of miles up the Tennessee River, which here is about

[17] Ear ornamentation of the Southern Indians was common. The lobe of the ear was pierced for the introduction of an ornament. Sometimes the opening was enlarged until a stone or metal disc or ear spool larger than a silver dollar could be worn.

six hundred feet wide and very deep; twelve miles from here it joins the Holston. The river is studded with pretty islands, covered with countless peach trees. To the left rise high, rocky, hills; on the right bank are the fertile plains of Toka and Chota, with scattered Indian dwellings. In the distance rise the high Chilhowee Mountains, a wild mountain chain, through which a year ago Captain Butler ran the boundary line between the United States and the Indians. Although it was June, he and his company suffered so much from wet and cold that even in the day time they could not do without fire. Among the Indians there, whom he described as rough and wild, he found many of a great age.

When we returned to the inn from Captain Butler's we found many Indians who had arrived meanwhile. Br. Steiner talked to them all, and tried whether he could find one or another with whom he could converse, but all of them seized their ears, indicating that they did not understand the language. However, they liked it when he gave them a pipe of tobacco and smoked with them. They were very friendly and modest, and continued so all the time they were there. Their conduct was not affected by brandy, for that is not allowed. If at times a little brandy is given to them, as we saw the officials do now and then, the amount was small and did not hurt them; to buy brandy and get drunk is not permitted for the Indians here. Those of the Indians who buy several hundred dollars worth of goods get some brandy, but it is not put into their hands until they leave, and they must take it immediately to the other side of the river.

Among other persons who were here today was a certain Moses Price, who had heard of the purpose of our visit and said that it was very praiseworthy, and that our undertaking would be pleasing to the Indians. Br. Steiner told him that he would like to converse with the Indians and asked him to be the interpreter. He answered that that was a job for another interpreter for he understood nothing of such matters and could talk with the Indians only on everyday topics. Br. Steiner spoke with him again, asking that he would at least tell the Indians the reason for our being here, but again he excused himself on the ground of his small knowledge of the language, and left abruptly.

A half-Indian, Martin, son of the General Martin with whom Br. Schneider[18] stayed formerly in Chittiko, arrived today. We asked him if he remembered the visit of Br. Schneider, sixteen years ago? He said no, that he was born in Chittiko but was only nineteen years old now, and was therefore very young at that time. He told us that his father was now in Henry County, Virginia, and that his mother was living in Wakowee on the Hiwassee River; he asked us to visit her as he knew that our visit would please her and she would be happy to serve us. We heard later, that he, like Price, did not have the best character, and that they liked to drink brandy.

Moses Price has lived one hundred and fifty miles from here, but now has bought the plantation of a certain Andrew Miller, which lies not far from here, down the river, at the place where Coyta formerly stood.

[18] In December, 1783, Martin Schneider was sent from Salem to the Cherokee land on a quest similar to this one, and Colonel James Martin was very kind to him. See Adelaide L. Fries, editor, *Records of the Moravians in North Carolina,* V, 1976-1988, for a diary of his trip.

He has been told by the Agent that if he does not behave well it would happen to him as it did to Miller, who was sent out of the Indian land because of his bad behaviour. He took occasion to ask the Agent to let him bring white people to work on his new farm, but this request was refused and he was told to employ Indians. When he objected that they were away hunting he was advised to be patient until they returned. Now he was preparing to bring hither his family, his household stuff, and cattle, especially many swine. He offered to take us with him, but for various reasons we could not accept his offer.

At noon we ate with Captain Butler, in company with Lieutenant Johnson, who continued very pleasant and ready to serve us. Captain Butler is a brother of the General Butler who was killed when St. Clair was defeated. He has another brother, Colonel Butler, who is the ranking officer in the garrisons here in Tellico and at Southwest Point thirty miles from here; he was wounded in that same defeat. At present he has gone on furlough to Pennsylvania, and has taken with him his daughter and the daughter of Captain Butler, and will leave them to be educated at the Boarding School in Bethlehem. While we were here Captain Butler received a letter from his brother saying that he and the two children had arrived safely at the home of his mother in Carlisle, would spend the winter there, and go to Bethelehem in the spring. The wife of the captain was particularly glad to hear from us more details about the Boarding School in Bethlehem. The Captain inquired about Br. John Heckewalder,[19] whom he had learned to know in Detroit. The captain had visited in Bethlehem, and more often in Lititz. At the end of the Revolutionary War he was also in Salem, and could not say enough about the love and kindness which had been shown to him and other officers by the Brethren during their stay of several days, which was the more helpful to them because they were very short of money on their return from South Carolina to the north. He asked us urgently to mention this in Salem, and to express his enduring thanks and friendship.

He told us that Mr. Fisk had been here, commissioned by the president of Dartmouth College to find out the best way in which schools for the Indians could be begun. Mr. Fisk had gone no further into the Indian country than to Toka on the Tennessee, and had committed to him the further care of this matter. He had recommended that the schools begin at the forts, and that the Indians should be taught English; and said that he had written to Little Turkey, a head chief of the Cherokees, about it and had received a favorable answer. This happened last summer, but he had heard no more about it. The proposal came from a society which was founded in Scotland and managed from there, and which had large funds for such schools.

Captain Butler said that he considered our intention of bringing the Gospel to the Indians praiseworthy and deserving of support, but they might not comprehend the Gospel until they had become more civilized, and could understand and read the English language. Br. Steiner answered: "Our experience has been the opposite, and we know that the Gospel can find entrance into the hearts of the roughest Indians, that they are capable

[19] One of the better known Moravian missionaries to the northern Indians.

of faith, and can be obedient to it." "That is true," he replied, "it is remarkable what the Brethren have done among the Delaware Indians," and he believed there were many true Christians in the Indian congregations on the Thames River in Canada; but this was not enough, they should become more civilized, more like the white people, though retaining their innocent customs. He thought that his way was the best; that nothing could be done with the old people but that the young could be won for the Christian religion when they had learned something. He had written this to the president of Dartmouth College, and it was probable that a beginning would be made with schools in the western part of the nation, which was the most civilized. With the part of the nation which lived up the Tennessee, and over the Unicorn and Chillhowee mountains, commonly called the Overhill Indians, no one would undertake anything because they were so wild and uncultured, and he also would not advise it. Br. Steiner answered that we consider no people and no nation too low to hear the Gospel, and our whole history shows that from of old it has been our lot to go to the worst and most despised. . . .

We can say truly that everyone we met treated us as *Moravians* with the utmost kindness, and the more that our journey was undertaken on account of the Indians.

The afternoon was very pleasant, and with Captain Butler, his entire family, and Lieutenant Johnson, we made a pleasure trip on the captain's barque, which was rowed by fourteen soldiers. We went down the river and quickly passed the mouth of the Tellico River, where it empties into the Tennessee, and landed at a brook in a large plain where an Indian town formerly stood. Late in the year as it was we found many vines, and one kind bearing large grapes which tasted very good. The captain remarked that he had never lived in a more healthful section, although each morning the water was covered with thick fog. During the three years since the troops came from Detroit not one man had been sick except when hurt in some accident.

When we returned the captain did not want us to leave him, but finally yielded to our explanations and our promise to visit him again in the evening. When we reached the inn, which is the only private house here, we found the interpreter, Mr. Carey, who had promised to accompany us to Chota the next day. Now he said that he could not do it because of the pain in his side; but he had asked Mr. David Byers to take us there, which he had agreed to do. He could not speak much Indian but could make himself understood by the Indians better than we.

Meanwhile an Indian, John Watts, son of the chief of the same name, had also arrived. We had heard that he spoke a little English, so Br. Steiner spoke to him and told why we had come, but he took hold of his ears and shook his head as if he did not understand the language. When circumstances showed that he could understand very well when he chose Br. Steiner continued to speak and told him briefly the provision God had made for our salvation. . . . To this he answered *Owah*, that is *yes*. When he was asked whether he and his nation would like to have some one come to instruct them in the word of God, he again said *Owah*. Asked whether he wished to have his children taught, a book

being shown to him, he repeated his *Owah* often and was very friendly, and took Br. Steiner by the hand, saying something which seemed to mean that they all needed this. Like all the Indians he was very friendly, but is said to be a corrupt and immoral man, too lazy to hunt, and doing nothing at home except shoot some birds. He lives less than a mile from here, up the river on the farther side, and he and his family are practically supported by his mother-in-law, Hanging Maw, widow of the former chief. This old woman is called "Grandmother Maw" by the white people, and is honored as an industrious and intelligent woman. John Watts was asked by Mr. Carey to take us to Chota tomorrow. His father, Chief John Watts, lives fairly far down in the land, is half Indian, and is considered an intelligent, faithful, industrious man, who lives much to himself and did not attend the last division of gifts since he was not entitled to any.

As we had promised, we went again to Captain Butler in the latter part of the evening. Our conversation with him was largely on religious matters. He complained much about the white people who live on the borders, describing them as a thieving folk, stealing from the Indians and also from each other, and kept in order only by force. Again he begged us to lodge with him, until we told him quite plainly why we could not accept his invitation, and then he was satisfied. As the gate into the barracks had already been closed he let us out by a side door and himself lighted us to the inn.

Monday, the 11th. After a pleasant breakfast with Mr. Hooker we went with David Byers to the other side of the river, Lieutenant Johnson accompanying us. Here there is a good ferry, maintained by the United States, and neither whites nor Indians pay for crossing.

On the other side of the river we followed a path over some hills, on which the English Fort Loudoun stood, of which we could see the ruins. The Indians destroyed it in the beginning of the sixtieth year, after they had besieged it for three years from a high hill near the present barracks, having three times beaten back troops sent for its relief. The four companies of the garrison were at last forced to capitulate for lack of food, and as they did not keep the terms of surrender nearly all of them were killed by the Indians.

We soon came into a flat country, and had astonishingly large plains around us, covered with high grass. There is little wood on this side of the river, but more on the other side. The plains are partly good bottoms, partly somewhat higher, good, strong, land. Under the grass the ground was covered with strawberry plants, and when the strawberries are ripe the land must look as though it were covered with a red carpet.

Here and there one saw peach trees and wild apple trees, and in various places, especially near the river, there were Chicasaw and other kinds of plums, so from June until fall one can have ripe plums.

We rode up the river and soon came to Indian farms and houses.[20] The first belonged to an old Indian named Tye. He is a very faithful Indian, and is much used as a messenger, and also as superintendent of the cattle, by which means he supports his family well.

---

[20] In 1762 an English officer, Henry Timberlake, was in this region, and drew a map showing the location of the towns on the Tennessee in the vicinity visited by Steiner. See *Twelfth Report of the Bureau of American Ethnology,* plate XXVI.

The next farm belongs to John Watts and Grandmother Maw. The former had promised to go with us, but was not ready, and excused himself by saying that his horse had run away. Lieutenant Johnson told him that it was well known that he made excuses whenever he had anything to do, and that when he should go anywhere his horse had always run away. That everybody knew he had no horse, so he could go with us on foot. When he was spoken with thus sharply he decided to borrow a horse from his mother-in-law and go with us.

During this conversation with John Watts, Br. Steiner went to Grandmother Maw, who was in a field breaking corn not far away. Br. Steiner asked her if she would be glad to have one of our Brethren come to instruct her children in the word of God, and Mr. Byers explained as well as he could. . . . She seemed not much interested, and continued to break corn, and may well have understood little English.

Our party rode on, and Watts soon followed us at full gallop, catching up with us in a group of houses where only women and children were at home. While riding he amused himself with a blow-pipe,[21] shooting at birds, but not hitting any. For darts he used the tips of a reed-like grass, taller than a man on horse-back, which grows abundantly on the plain.

Soon we reached a hill, with a fine limestone quarry, from which the stone is taken down stream to Tellico Blockhouse. Now and then we passed through small pieces of woodland, especially along little streams that flow into the Tennessee. The growth consists of mulberry, walnut, honey-locust, persimmon, plum, and large, tall sumac. Deeper in the land there are pine, hickory, and oak trees.

After riding four or five miles we reached Toka,[22] where Lieutenant Johnson had business, and from here he went home. Here in Toka also only women and children were at home; they gave us a drink of water. Only two houses stand together, the rest are so widely scattered that we could not see them. Toka is a little town,[23] on a pretty plain, and close by is the Toka Mountain. This is a fairly high, round hill, of rich earth, which this year had been planted in corn. It looks as though it had been thrown up by men, but in olden days, for several large trees stand on it. No one could tell us more about it. Opposite the town, in Tennessee, lies the fairly large and fertile Toka Island.

After something more than two miles we reached Chota,[24] where we could see five houses, and even these were scattered over the plain. Besides women and children we found before his house an old man, named Aarcowce, who is "the beloved man" of Chota. We greeted him, and Watts spoke to him. He gave us to understand that he would bring a book from his house, and went after it. He really had one, and Br. Steiner found that it was an address from the President of the United States to the Cherokees in the year 1796, in which he admonished them to keep the peace and learn to carry on handicrafts needed on a farm. It was

---

[21] The Cherokees still employ the blowpipe on their reservation in North Carolina, and show some skill in its use.

[22] On the Timberlake map this town is marked as Toqua.

[23] The Indian *town* was not a town in the ordinary sense of the word, but sometimes was a group of widely scattered residences of one group of Indians.

[24] Chota was the ancient capital of the Cherokee nation. It was a peace-town, or city of refuge.

printed, and inclosed in a written letter from the former Agent Dinsmoore, and both were wrapped in thick paper. The old man was told that this was all meant for his good, but that it was not the object for which we had come to see him. . . . We invited him to go with us to Tellico, where we might be better able to converse with him. He was very attentive to all that was said to him, finally saying: "All that I have heard pleases me. Just now I do not have time to go with you, but in two nights I will come to Tellico Blockhouse to speak further with you." As we left he shook each of us by the arm, which is a sign of great friendship. To our companions he only gave his hand. The conversation was carried on as follows: Br. Steiner spoke to Mr. Byers, sentence by sentence; he repeated it more plainly to John Watts; and Watts translated it for old Aarcowce; and so in reverse order when Aarcowce spoke.

We wanted to return on the other side of the river, but when we came to the middle it was so deep that we had to turn around, and go back to Tellico the way we came. Near all the houses we saw fine corn-fields, some enclosed in low fences. Most of the corn was in the corn-cribs, which were raised on poles. We saw also many beans, pumpkins, cabbage, also some tobacco.

We reached Tellico Blockhouse about three o'clock in the afternoon. In the evening Major Lewis, agent for the Cherokees, arrived from Southwest Point, with his interpreter Dick Fields, a half-Indian, in full Indian dress, his hunting bag, girdle, etc., ornamented with coral. He seems to be an intelligent and modest man, speaks English clearly, and receives a yearly salary of $300 from the United States as Interpreter. When he was with us in the inn during the evening Br. Steiner drew him into conversation. Asked how large his nation was he said it had about three thousand warriors; further that their land extended three hundred miles from east to west at the Muscle Shoals; and south two hundred miles to the Creeks. Asked what kind of a nation are the Chickamaugas, he replied that they were all Cherokees, and he knew of no difference; there is a town of that name, and that is the only difference. Question: Is your nation content with the rules laid down by the government? Answer: Yes, very well. They see that all rules are well meant, and drawn up for their welfare. Question: If some one should come to them to make known to them their God and Creator, and to instruct them and their children in the word of God and other useful knowledge, would permission be given to live among them, and if conditions indicate outside a town? Answer: Such a person could live where and as he pleased, his nation would raise no objections, but it was a matter on which the agent must be consulted, for without his permission no white person could live among the Indians. Instruction in the word of God would be agreeable to his nation and useful. Recently, however, Mr. Butler had passed through his nation on his return from the Chickasaws and had said that they were too bad and evil a people to be instructed in the word of God. Question: What ground had Mr. Butler for that? Answer: Mr. Butler came just at the time of a *green corn dance*, which usually lasts three or four, sometimes eight days. This dance began on Saturday, and Mr. Butler warned them not to dance on Sunday, but to dedicate that day to God. They did not

listen to his admonitions, but answered him: According to the custom of their fathers when the dance was begun it continued from day to day till all was over, and they would begin no new method; and so they danced on Sunday. This green corn dance is danced when the first Indian corn is ripe, and each year in a different town, and after it has been in each town the circle begins again. For this dance the residents of many towns gather, and eat and drink until all provisions in the town are used, and then the dance ends.

Concerning the Christian religion Dick Fields believed that it could not be introduced until the young people had learned to read and write and speak English, otherwise they would not comprehend it. . . .

The 12th. The Indian Tye came from the other side of the Tennessee River. This old Indian was often described to us as a faithful man and careful keeper of his promises, and a suitable guide to the Indian land. The one thing against him was that he understood no English. We however had no choice, for all who spoke and understood English were hunting. Mr. Carey made the proposal to old Tye, and told him the places to which we wanted to go. Lieutenant Johnson and Mr. David Byers engaged him to go with us, telling him to be ready in the morning. After lengthy consideration one dollar a day was promised him.

We showed the agent Lewis the letter of recommendation from Colonel Henley which we had brought. He took it willingly, and proposed to give us a pass, but when he saw our pass from Colonel Henley he said that was enough, we needed no other. He regretted that we had not come some weeks earlier, since at this time of the year nearly all the Indians were hunting, but advised us to go to Esternally, ninety miles southward from here, on the waters of the Coosee River. He said that we would probably find no Indians there, but Mr. Charles Hicks,[25] one of their interpreters, lived there and would receive us well, and further advise what we should do, for he was well known in that district. As nearly everybody doubted whether Mr. Charles Hicks would be at home either we decided against this suggestion.

Major Lewis believed that a mission among the Cherokees would be of great use. To Br. Steiner's question whether one or more of the Brethren would be permitted to live among the Cherokees he replied that if they came he would do his best, and they should have his consent at any time, but it would really depend on the chiefs of the nation, though he did not doubt that they would consent.

Our host at the inn was a young, intelligent and well-read man, who kept good order, and we had various conversations with him. Today it concerned missions among the heathen, and he said that he believed that the Cherokees were already too civilized and good, and too well acquainted with white people, to be converted easily; that if they were wilder and quite uncivilized they would be converted more easily.

In the evening Captain Butler came, and excused himself for not having seen us during the day but he had been very busy and must send off many letters. He spoke with Br. Steiner alone and asked whether he would not baptize his ten-year-old daughter, when he returned from the Indian

[25] Charles Hicks was the first man baptized by the Moravians after the mission to the Cherokee Indians was established.

country? He said that he had neglected to have her baptized earlier, but had also had no opportunity for it, as for many years he had served in most of the western posts where preachers were the last to come. He belonged to the English Church, and preferred to have his daughter baptized by a minister of that church or by one of the Brethren, for he did not have the best opinion of the preachers who wandered about here. When Br. Steiner told him that he was unable to do this[26] he seemed very sorry, and Br. Steiner comforted him as best he might.

Major Lewis, Lieutenant Johnson and Mr. Hooker also visited us in our inn, and inquired about our well-being, and about our trip to Chota yesterday; they assured us again that they would be delighted if a Brother would begin a mission here.

Today a number of Cherokee women arrived. They were properly clad in half-linen or cotton gowns.

The 13th. We thought of the Chief Elder[27] of the Unity, and the congregation festivals of Salem and Nazareth. . . .

This morning there was a hard frost, but during the day it moderated. We took breakfast with Captain Butler. The conversation was mostly about our approaching journey into the Indian land. He gave us the names of the present leading chiefs of the Cherokees: Little Turkey, a very old man; John Watts, their head warrior; and Bloody Fellow. The Captain's wife provided us with biscuits and ox-tongue for our trip.

We left immediately, were put across the Tennessee River and rode up stream beside it to the house of our guide, old Tye. His little horse was soon saddled. His outfit consisted of a blanket, tobacco pipe, and a bag of weasel skin in which were sumac[28] for smoking and fire-making apparatus. His provisions consisted of three little cakes made of corn and beans, wrapped in a rag, and tied securely behind his saddle.

We set out at once with our guide, with whom we could talk only by signs, for we understood him as little as he understood us. He arranged that Br. Steiner rode first, he in the middle, and Br. Schweinitz in the rear, as the roads in the Indian land are only narrow paths and one must ride behind the other. For the most part we traveled toward the south, and soon reached high ground, most of it level. The trees were scattered, and we noted pine, hickory, post oak, some black oaks and occasional Spanish oaks. There was little underbrush except quite low hickory and sourwood. High grass grew everywhere; and we saw many low grapevines. Much high ground which we saw in the Cherokee country was of this kind. The upland is everywhere more or less broken, with many narrow valleys, in which streams often flow, though when we were there they were nearly all dry, and we could mark their course by the round stones. Around these creek beds stood many tall poplars. The soil is black, but not deep, and under it is a yellow-gray limestone. We came to a small stream, and followed it up on lower ground for some distance. This soil is not of the best, but looks suitable for meadows. It has some low reeds, and everywhere there are large poplars, also maple, beech, and ash,

---

[26] Steiner was not ordained until later.
[27] The Lord Jesus Christ.
[28] Little has been said about the use of sumac by the Indians for smoking. It was evidently a poor man's substitute for tobacco.

with thicker undergrowth. Toward the high side of the land there are rocks, some of limestone, some of granite.

Today we twice crossed the Tellico, which could be forded easily, but has high, muddy, banks. On one such steep, muddy, bank Br. Steiner's horse slipped, his hind feet sank deeply into the mud and stuck fast. He pulled them out at once, and got out safely, but after that was shy of deep mud.

As we crossed the Tellico the second time we came into more open woods and soon saw evidences of bush-fires. Toward evening we passed women and children who were setting fire to the grass in the forest, and soon after entered the Tellico plain, through which we rode for a while in tall grass, and to the right saw various houses which belong to Big Tellico. In the plain we came to a low hill, where a flock of turkeys ran ahead of us. Here we had a fine view. In front of and near us was the beautiful, large, cleared, plain, and in it the town, Big Tellico, eighteen miles from Tellico Blockhouse. The plain has very fertile soil, is really a bottom many miles in circumference through which the Little Tellico winds. Around this plain the land rises quickly; on three sides broken but on the fourth in hills which increase in size until they lose themselves in the Chillhowee Mountains, which can be seen in the distance. Finally we crossed a dry brook and came to more houses, where we asked for the house of Kulsateehee, as we had been advised to spend the night with him. Kulsateehee received us kindly and took us to a fairly large house opposite his home, which seemed to be a stopping place for strangers and visitors. For our horses we were shown a corn-field about a quarter of a mile from the house. In it there were still many pumpkins, and the black soil was covered with rampion. Our Tye would not use the place assigned for our horses, as he feared they would be stolen.

The cornfields, which are fairly large, lie scattered over the wide plain, and are as little fenced as are the cabbage patches near the houses. Of fruit trees we saw chiefly peaches, with some apples; plums and mulberries are scattered here and there on the plain. There are few cattle here, but more horses, hogs and especially chickens. In this town, as in all that we saw, the houses are widely scattered, so a large town may be many miles long and wide. Here some houses are near together, further off another group, then single houses, all without order or plan. Everything shows that these inhabitants are far behind their brethren in the southwest in regard to culture. A short distance from our house was the council house, standing in a level rectangle in which the community dances are held.

Our house was about twenty-four feet long and twelve wide. One half had a fire-place at the end, and on the sides woven cane benches, which served as tables, seats, and beds, and this was the living room; in the other half corn was stored. It was built of soft wood, had no floor, and the roof was covered with long shingles, with hides over them. In the middle was a small door.

Eight Indians gathered, and as none of them spoke English we could make ourselves understood only by signs. As each man entered he shook hands with us, then sat down by the tiny fire. They talked much with

each other, and the tomahawk pipe, filled with Br. Steiner's tobacco, circulated constantly.

Meanwhile, the women prepared supper for us. In an earthenware pot, which they themselves had made, there was a cold soup of honey-locust pods, and in another a sour corn mush. The entire company used one large wooden spoon in turn. Everything was very informal, one ate a while, then warmed himself for a time. The locust soup had a sweet but very wild taste. The bread was made of corn and beans, more than half of it whole black beans, and was good to eat.

After eating we again sat down around the fire, and one of the Indians made forty-four strokes in the ashes, signed to us to count them, then pointed to the fire-place and around into the neighborhood, to let us know that their town had that many houses. As it was late Kulsateehee cleared off the benches, at which the Indians left, and we lay down on the benches to sleep.

On *the 14th,* after taking a friendly leave of our host Kulsateehee, we went on our way. We crossed the Tellico River, and must ride up it, as our guide had gone a little astray, and we found difficulty in riding through the swampy land thickly covered with cane. At the end of the plain was a marsh, where Br. Steiner had a narrow escape, for his horse, unwilling to go through the marsh, reared and fell over backwards with him, but he was not hurt.

Then we came into a hilly country with such steep mountains to cross that we had to get off our horses. Through this stony, mountainous land flows a swift little stream, on the banks of which stand red cedar and spruce pine. Today flocks of wild pigeons flew over us, headed south, as they have been doing for some days.

In the afternoon we again crossed flat land, and toward evening came to the Hiwassee River and a town of the same name which lies on both sides of the river. Across the river, to the south, we could see a large, treeless plain with many houses; on this, the north side there are small valleys and the houses are built on the neighboring hills. Having ridden down the river for some miles through broken country we reached the western end of Hiwassee town, where our guide stopped at the house of Friderici, a Seventh-Day Baptist. He was just coming to his house, and we greeted him with the words: "Peace be to thy house!" to which he answered: "Ah, my friends, there is no peace to be found in this world!" We asked him for night lodging in his house, and he was at once willing, if it was good enough for us. Our horses he put into the nearby fine field of the Indian Kulsathee, where there was especially good forage in the canes on the river bank.

Our host invited us to supper, which he placed on a high bench instead of a table. In one very large, deep, Indian earthenware bowl he set something before us which he called pumpkin soup. He had neither peeled nor cleaned the pumpkins nor taken out the seeds, only cut them in pieces and cooked them in water, and put them into the large bowl, which was full to the brim with the broth, so that one had to fish for a bit of the rind, or a small piece of the inside with the stringy center part attached. With this he set before us radishes, and bread made of wheat, corn, and

pumpkin. He thanked the Creator that he had cooked so much before he knew that pilgrims were coming to him, and believed that Providence had led him to do it. He said that any one who lived to the glory of God did not regard what he had to eat, so long as it was not meat; all else is good enough for such a man.

The neighboring Indians came to see us and to welcome us, but we could not talk with them, and Friderici knew only a few Indian words, although he has lived here for four years; he also speaks little English, only German. He told us afterwards that he was born in Saxony, where his father was a pastor, but died so early that he could not supervise his son's education. Friderici had learned the trade of a linen-weaver. During the American Revolution he was forced to come to America with troops from Anspach. Here he had deserted, as he hated the service of a soldier; yet he thanked God that he had come to America, where he had acquired better knowledge. He said further: "I eat no meat, neither milk, butter, eggs, fat, nor anything that comes from animals, and living in this way I am more healthy and stronger than I was before. I hold that it is not right to eat such things, nor to kill any creature, nor to use a knife on one of them, and if I accidentally step on even a tiny worm and kill it I am greatly troubled. . . ." After giving us a lengthy account of his own righteousness and abstinence he said further that he had lived in Lancaster County, Pennsylvania, not far from Lititz. There he had acquired knowledge, and had had a comrade who was of the same mind. For a while they lived together, and as they thought right, had worked for people but refused to accept payment as they thought that unrighteous, and if they needed a piece of clothing they accepted that from people. Because they lived this way they were jeered at and laughed at, and people pointed the finger at them, so they had longed for a place of rest, and had thought of going to the Indians. . . . Friderici wears a beard, is a tall, lean man, about fifty years old. He was once in Salem, and when he heard that we came from there he at once inquired whether we still charged for meals in the tavern? Pastor Friderici in Pennsylvania is his relative. Here among the Indians Friderici lives by farming . . . . After talking on this line for some hours Friderici spread straw before the fire, on which we might lie; he himself slept on the high bench which had been our table, and his bed was a bearskin. . . .

His next neighbor and patron is Kulsathee, one of the most respected men in this town . . . . The fields are planted with corn, pumpkins, beans, sweet potatoes, turnips, cabbage, etc. Hiwassee used to be a larger town, but is decreasing in size as many are leaving it because of the low, unhealthy location. Most of those who have moved have gone to the neighboring town of Chesthoowee, lying down the river; something over three hundred still live in Hiwassee.

On *the 15th*, in the morning, Friderici warmed up his pumpkin soup and invited us to breakfast, and just as we were excusing ourselves Kulsathee appeared and asked us to come to his house. He also brought us a pretty little basket, washed clean and filled with red and white sweet potatoes of the best variety. When we were with him he showed us a small printed pamphlet, treating of the three great days, published by

De Brahm. He could not speak with us, but made himself understood by signs. He showed us his cotton cards, spinning wheel, and yarn which his daughter had spun. His house is small and mainly a dwelling, he has other houses standing about it. His dwelling house is of hewn logs, built tight and well ceiled, with a chimney of masonry, and all is neat and clean. It is furnished with chairs, a table, a feather-bed and bed-stead, some chests, closets with cooking utensils and a tea set, and a large mirror on the wall. The wooden pieces he made himself. He has built a weavehouse, and will soon get a loom and Friderici is to teach his family how to weave. Various persons told us afterwards that if Kulsathee did not get a loom as soon as he wished he could build one himself if he had a good look at it, he was so handy. He also has many horses, cattle, swine, and fowls. The horses he rents to traders, who pay him in salt.

When we returned to our quarters Kulsathee sent his boy after us with good, fresh milk. We had tea with us, and could now prepare a good breakfast, in which we invited Friderici to join. He at once told us that he had long ago renounced tea, coffee, and the like, and continued to entertain us with stories of his strivings after righteousness . . . .

We did not let him talk longer but got our horses from the field and set out on our further journey. Kulsathee had told us by signs that he would follow us to the home of Mr. Burgess, a trader, to learn why we had come, and Friderici accompanied us a quarter of a mile, through a fine country, well wooded with large trees, until we came to a rocky creek, with a water-fall, where Mr. Hildebrand is to build a mill; his house is about three quarters of a mile away on a hill. He was not at home, but had gone to Knoxville to see about the machinery for the mill, which, with the millstones, must be brought by water.

We passed by large, level cornfields, on the road to Mr. Burgess, and were met by his two sons, who turned back with us when they learned where we wished to go, leading us partly through broken land, partly by great enclosed stretches of cane, to the house of their father. He is a half-Indian and had gone to trade in Charleston, South Carolina. The wife, who received us cordially, is white, and used to live in Pensacola. The children in the house are light brown, and like the parents speak English and Indian well. The house is like the house of white people, and as well arranged as on any good farm. They have a milkhouse at a spring near by. The plantation is all upland, very large and well cleared. We found beautiful fields, seeded in wheat, and a large cotton field. There are various plantations in this neighborhood, and the agent, Lewis, is having a house built for himself a quarter of a mile from here.

We had not been here long when Kulsathee arrived in full hunting dress, and his family followed him. The boys had already told their mother that Kulsathee wanted to talk with us, and now we asked her to provide an interpreter. She made the proposal to her sons, and the elder at once refused, saying that his brother spoke Indian better. Kulsathee sat down and began to talk, and at once the interpreter excused himself, saying that it was beyond him, he could not translate such things for he did not know how to express them; he knew no one to take his place, but his sister might be the best. His mother agreed, and sent for her daughter, Elizabeth,

who lived in a somewhat distant house. She came running, and her brother told her she would not come so fast if she knew why she was wanted. When the mother explained that she was to act as interpreter, Br. Steiner at once told her the topic of conversation. She expressed regret that she could not do it well enough, but when her mother and we encouraged her she agreed to try, but on condition that her brothers were not present, and they were at once sent out of the house.

Kulsathee began by asking what we had brought? Did we have something from De Brahm? He thought we might have something to say about De Brahm's letter, he meant the little pamphlet which we had seen in his house. Br. Steiner answered: "No, we have come to see and hear whether you will listen to something about God, your Creator. . . ." Kulsathee answered: "We would like that, we need it, and we would gladly see it and hear the word. We are indeed very stupid and untaught, but it might go. When we were told to learn to live like white people, and farming and cotton raising were begun among us, we thought that we could never do it, that it is not for red men; but I have seen that it goes, so I think we can gradually understand this also." Br. Steiner said: "The matter is not difficult but very simple. . . ." "Good," said he, "but many persons think that the Indians are too bad and evil to become good men, we are also too dirty and brown," and he showed his hands. Br. Steiner replied: "We do not think so, we love all men, no matter what their color. God does not think so; He is the Creator and Father of all men, whether they are white or brown or black. . . ." At the end of the conversation Kulsathee said: "For several days I have wanted to go on the hunt, but have been hindered until today, and now I thank the Great Spirit that I have been held so long, and could hear such words before I go, so that I can tell them to all whom I meet on the hunt." Then he stood up, took leave of us, picked up his gun, and left for the hunt. During the entire conversation he was very attentive and thoughtful. Our interpreter also, who is a grown woman, did not tire, but handled it solemnly and in keeping with the subject.

Later we talked with the housewife, and among the rest spoke of Friderici, and she said: "The grace of God is the only thing that can make men good, to punish themselves helps nothing; that I know, although I have not heard a sermon in many years." She thought a school would be much liked by the Indians, and herself knew of more than forty children around her. She said also that the neighboring town of Chesthoowee had forty or fifty houses, but there were few at home, and no one who could understand us; also that the Hiwassee was thickly settled from its source to its mouth.

After taking thankful leave of this house, which lies forty miles southward from Tellico Blockhouse, we started for Wakhowee. We rode southward, and soon reached the Hiwassee again, where it has high banks and a swift current. We rode into the river above a little fall, then down and up, twisting and turning, we finally came out on the other bank below the fall. Here stood several old Indians and a crowd of boys, watching us. At the top was an open, level, very pretty plain, with several houses, of which one could see more in the distance. This was the west end of the

town Chesthoowee. From here it was seven or eight miles to Wakhoowee, on a plain where water ran in small depressions now dry for the most part. Green willow oaks stood on their banks. Before we reached Wakhoowee we crossed a broad, clear river, which is an arm of the Hiwassee.

Riding by several houses we alighted at the home of Mrs. Martin, but heard at once, to our sorrow, that she was visiting her father, five days' ride from here. She lives on a fine plantation on the river. Four houses stand together, with a clean courtyard in the middle. Before reaching the dwelling house we passed through a lane with a high fence, which had two gates that lifted up. Her cousin, named Walker, who speaks English well, received us kindly. Mrs. Martin's house is built of hewn logs, well daubed, and plastered inside with white clay. The chimney is of stone. The furniture consists of two bed-steads with beds, cane-seated chairs, a table of walnut wood, a closet with pewter ware and a tea set, and all showed order and cleanliness. We also saw cotton cards and spun cotton. All of the houses were good; except one which belonged to another Indian, which was built of poles, without daubing, and contained nothing except fire and people.

The fields lay for the most part on the level uplands, and were well cleared. The cornfields had been ploughed, and were free of grass; we also saw one field of white turnips. The inhabitants of this neighborhood have horses, cattle, swine, fowls, dogs, and cats. Our host had Negro slaves, who were well clad and seemed fresh, lively, content, and well cared for. Like the Indians they were polite to us. Cotton is raised and spun here. In one house there was a loom on which weaving was done.

This town Wakhoowee lies on the south side of the Hiwassee, on both sides of a large tributary, and consists of about twelve houses and families, all related. It is fifty miles south of Tellico Blockhouse, and seems to have been begun recently.

It was still early when we arrived, and Br. Steiner had a long conversation with this Walker, who is half-Indian, and dressed Indian fashion, with silver rings in nose and ears. Walker asked: "You have come, I suppose, to see the land?" Br. Steiner said: "Not so much the land as the people in it," and told him the object of our visit. Walker said that we must talk with the agent Lewis, he was the man to whom to turn, and Br. Steiner assured him that we had permission from Mr. Lewis to talk with any of them. . . . Finally he asked Walker if he would not call the people of the town together that evening to hear all this, which he could translate for them? He began to excuse himself, . . . saying among the rest that his grandfather lived on the other side of the river, was very old, and could not well come in the evening, and there it rested. So we could not scatter the seed of God's word, but must content ourselves by dropping a seed here and there.

Walker is a modest and intelligent man, but seems to be too civilized to accept the Gospel as a welcome message. He knew how to talk about many things, including trade, knew the value of money in the different states, and the articles which could be brought from Charleston or Philadelphia with most profit. Salt, he said, cost $2⅓ for half a bushel at the Tellico factory, and the same amount could be brought from

Charleston to their towns and sold for $1⅔, and the latter was better, being coarser and heavier. The traders go with pack horses; and not much over one hundred miles from here reach the road to Charleston, which passes near Augusta in Georgia, which is about two hundred and sixty miles from here. Over this road the goods are brought in wagons, and are then loaded on the pack horses. Esternally, on Coose River, he said, is about forty miles from here. He confirmed what we had heard, that the Hiwassee River from here to its source is thickly settled; but going down stream from here there are forty or fifty miles that are thinly populated, then there are many settlers before reaching the Tennessee. Walker has been in Philadelphia, New York, and Augusta; some years ago he traveled on foot to Detroit, and may be something over thirty years old. He particularly liked the Quakers in Philadelphia.

We inquired where they found the green soapstone from which the Indians make the heads for their pipes. He pointed to high mountains in the distance, where the stone is found from which pipes are made which are often artistic. A pretty pipe head is sold for one dollar.

In front of one of the houses sat an old white man, lame in hands and feet. He had lived in the nation for thirty years, and was accidentally shot by an Indian six years ago. An old, but alert Indian is his attendant. He was formerly a trader, but now has not much property except some horses. We tried to talk to him but he answered curtly or not at all, and was very surly.

Walker looked after our supper and night lodging; the first consisted of milk, butter, and bread of corn and pumpkin which tasted good; at night we lay on featherbeds, and had Mrs. Martin's house all to ourselves, as our guide was provided for elsewhere.

On *the 16th* in the morning early, Walker provided us with breakfast, which consisted of smoked pork, cabbage, and white bread. At this meal we could see plainly how the Indian women are kept down. First we had our food, then it was taken to Walker, and finally the young wife ate alone. She scarcely dared to give us her hand in parting.

After bidding farewell to our friendly host we started back to Tellico Blockhouse, taking the shortest way which is about fifty miles. We crossed again the arm of the Hiwassee River, then took a broad path through mostly level country, which had few trees but was well watered, red cedars standing on the banks of the streams. Ten miles from Wakhoowee we came to open grass land, and somewhat farther to some houses, and were again in Hiwassee town, on the south side of the river. We rode down the river in the great plain with its scattered houses, and stopped at a house on a hill. Here we bought corn, paying in red ribbon, also gave them several clay pipes for which they were very glad. In return they set before us on the ground a dish of sweet potatoes, of which we ate, only regretting that we could not talk with them. Meanwhile, our guide Tye filled his bag with sumac leaves which were drying on the roof. The sumac is broken when the leaves are red, and the leaves are dried in the air in the sun, and that is the only preparation given them for smoking.

We rode through the Hiwassee River, and in the middle came to a pretty, large island, all cultivated in corn. The ford was good, the water

clear and not too deep, and the bed of the river covered with gravel and small, round, water-worn stones. On the north side of the river was much level land, but also some much broken, with beautiful springs and brooks. The weather was warm and clear.

Toward evening we came to a small stream, by which grew sugar trees, red maples, oaks, and poplars. At sunset we turned a little from the path, to a tiny brook, where cane grew, and camped by a large, fallen oak. We carried wood while old Tye built the fire. In the beautiful, warm moonlight tea tasted very good, and the frogs entertained us with music. Then we rolled ourselves in our blankets, and after a hard day's journey slept peacefully under God's free heaven.

The 17th, after eating breakfast at this place, we proceeded over broken land and through thin forests to the Tellico River, forded it, then saw fewer trees until they stopped entirely and we were on a great plain, covered with grass, through which it was almost impossible to ride. That lasted nearly to the crossing of the Tennessee River, opposite Tellico Blockhouse. About three o'clock we ferried across the river, and safely returned to Tellico Blockhouse, and were received by our acquaintances with much love and friendship. We wanted to go to Chilhowee, but heard that almost no one was at home, and we could not get an interpreter, so we gave it up. Our tour through the Indian country covered about one hundred and twenty miles. We had the finest of weather, and found old Tye a faithful guide, who made himself understood by signs, without words. He took leave of us, Indian fashion, on the farther side of the Tennessee, and seemed at peace and content.

We were glad to be here, for the weather changed suddenly and strong wind and rain came up. In the evening the agent Lewis returned from Knoxville with his interpreter Dick Fields. Fields at once showed his friendliness and said he regretted that we had come at the wrong time, we should come again next year. He, Mr. Hicks, and Mr. Carey were the official interpreters for the nation. Mr. Carey was assigned to the factor's office; he and Mr. Hicks were employed in government business. If we would come again when the nation had assembled he would gladly translate for us, and Mr. Hicks would doubtless do the same.

On *Monday, the 18th,* we took breakfast with Mr. Hooker, who had returned from Knoxville. At noon we dined with Captain Butler and Major Lewis. We had a sort of fish, *yellow cat,* many of which are caught in the Tennessee River. The smaller, weighing fifteen to twenty pounds, are the most palatable, and are liked much better than the larger which sometimes weigh more than one hundred pounds. The story of our trip into the Indian country, and a description of the way in which the Baptist lived, entertained the whole company.

We had today an example of the way in which the officials here follow their orders. A man named Tooker, who has lived in the Indian land, was sharply reproved by Captain Butler in our presence. He was reported to be the kind of man who harbored bad white people and Indians, who helped in the stealing of horses, and let stolen horses be brought to him which he sent to South Carolina and Georgia. He had not obeyed the summons of the agent to appear in Chesthowee and answer the complaints against

him, but instead had gone to the border and had brought a company of evil whites through the Indian land without a pass. He first denied the accusations, but Captain Butler assured him that it was all known, that the agent knew it, and would tell him all that he had not yet heard. Then he acknowledged it, and begged humbly that the captain would have a feeling for him this time. Butler told him that he had no right to drive him from the country, that was a matter for the agent, but he would tell him this much, that if the agent told him to leave the Indian land, and he did not go at the appointed time then it was a matter for the soldiers and he would attend to it promptly. As Captain Butler was talking with the man the agent, Mr. Lewis, came in, and notified Tooker to get out of the Indian land on the first day of January, and never let himself be seen there again.

A young Indian was here today who had decorated his tomahawk quite artistically with silver, working in small flowers with the initial letters of his name. He said that he wanted to go to Philadelphia for a year to learn something in this line of work. In general the Indians seem to have much skill with their hands, and to take much pleasure in ornaments. Their rings and silver plates in nose and ears are covered with designs of wild animals and the like. Mr. Fields carries a rifled gun with silver ornaments; the artistic decorations on the stock were made by a skilled workman in the state of Tennessee, and cost eighty dollars.

Toward evening, when we were with Captain Butler, some people from the neighborhood were announced, who asked permission to go to the factory; he refused, and sent word to them that they evidently came so late in the day because they wanted to bring in brandy secretly, and that was not tolerated here—those who wished to trade honorably came in broad daylight.

The captain again offered us all possible service if we or some one else of our group should come here, offered also to give us some information about the Indians if we needed it. He again spoke about the plans of the Scotch Society to send young persons of good moral character to keep school for the Indians, adding: "That will not hinder you, you can stand together very well, your object is Christianity, their object is only schools." Finally he asked us to give him a written statement concerning the purpose and design of our visit, together with an address of some one in our Society if he had occasion to write. We did this, and he gave us a written reply.

Mr. Carey told us that the old Indian Aarcowee, according to his promise, had come here two nights after we visited him and while we were in the Indian country, and he appointed tomorrow when he would come again.

On *the 19th,* early in the morning, old Aarcowee, the *beloved man* of Chota, came across the river. He had on his best, and on his breast hung a great silver medal,[29] supported by a ribbon around his neck. On one side of it was stamped a head, as the emblem of freedom, on the

[29] The Indians made gorgets before contact with Europeans. Usually the outer whorl of a conch shell was cut disc-shaped, and suspended by cords or strings of beads fastened through two holes in the edge of the disc. Attractive designs were engraved on the shells. The colonists applied this method of ornamentation in providing the Indians with metal gorgets.

other a white man and an Indian sitting under a tree smoking tobacco, which signified friendship. The state of Virginia formerly had such medals made.

Aarcowee came directly to us, and Mr. Carey was persuaded to serve as interpreter. Br. Steiner told him again the reasons for our coming. . . . When Br. Steiner ceased to speak Aarcowee began, and said: "Last evening I heard that you were here and were awaiting me. Then I looked toward heaven and saw my father there. I have thought all night of what I might hear today, and now I have heard great words. The Great Father of all who have breath has from the beginning made all men, the red, the white, and the black. He has placed the red men here toward the setting sun, and the white men toward the sunrise. A great day has passed since the white men came over in their great canoes and received permission to build a city. This has not been enough for them, but they have come further and further. This has caused conflict between the red and white men, which finally became war. In this both were wrong, for the Father who lives above does not like war, and would that all should be brothers. The whites are called the elder brothers and the red men are called the younger, but this naming is reversed for the red men were the first to live in the land. The Great Father of all creatures, who made all men, has given me breath, and only He can take it away, and that when He will. I am thankful to Him that so far breath has been left to me. But we were all made of earth, and sooner or later must become earth again. The Great Father who lives above sees all and knows all. He sees our present meeting and hears all that we say to one another, and rejoices to see us and to hear our words. He regards our smallest affairs, and has given many good things for our use which we scarcely consider. We see only the water, yet we could not live without it. He made it. The fire in the fireplace, such a little thing! Yet He has provided it for our use, and what would the poor red man do if he had it not, for he does not have much and warm clothing like the white man. Everywhere the fire lies hidden, and permits itself to be brought out of little stones, and so is it with all that man sees, all shows the power of God. White men indeed have much more, they can make for themselves clothes against the cold. Red men can build only small canoes, and cross only small waters; white men build great canoes and cross great waters; they also have the Great Book out of which they learn all. In the beginning, when the Great Father made men, He had a great book which He offered first to the red men and bade them speak to the book (that is, read in it,) but they could not. Then He offered it to the white men with the same command. When they saw it they could at once speak to the book, and that is the reason that the white people know so much that is not known to the red men, but the time seems to have come when the red men shall learn to do it also. When the white men first came to this land they had the Great Book in which is the word of God, but they did not instruct the red men in it. I believe therefore that the Great Spirit has given it to you that you are willing to come to us and teach us. For my part, I will welcome you; I am well content with it, and like it much. My people are not now at home, but when they return I will take counsel with them, and

perhaps send you an answer quickly. I believe that all my people will be glad, as I am. I will rejoice if thought is given to the dear old town Chota. When you came there you could not see my house, the place is so overgrown with tall grass, and yet you found it and that made me very happy. Now am I so alone, the other dear ones would be there if they had kept peace. (He meant to say, figuratively, that they had been murdered by white men.) But I will never leave Chota, I will stay there until I die or am killed." Then he pointed to his medal and said: "I wear this always to think of peace. It was given to me by beloved men. I will keep peace and never forget the good words of the beloved men of the United States; I will also remember your great words, and carry them to my people." Then he took each of us by the right arm and shook it in sign of friendship.

Br. Steiner told him further that we were not sent by our Brethren to take any of their land or to trade and become rich thereby, but only out of love for them and to hear whether they would accept the word of God. . . . He thanked us that we had so honored him and had come so far to see him and his nation. We gave him several tobacco pipes and then he said: "When I use these and the smoke rises, I will look with it toward heaven, first to the Father of all living things, and then to think of you and the words you have spoken." Then he thanked us again, and said he hoped we would come soon again and bring him better pipes. After a little while he came to us again, shook us by the right arms, took his leave, and went home.

Mr. Carey told us that among the Cherokees there were many deceivers who bore the name of witch doctors.

Three travelers from Georgia stopped here today on their way to Cumberland. They reckoned it only one hundred and forty miles to their home, but they had traversed very difficult mountains in the Indian land, and had been in great danger in the Unicorn Mountains, sixteen miles from here. There the narrow path ran for a long way by an immense precipice of rock, where not one of them dared to pause. We would have been glad to travel to Cumberland in their company, but we had left part of our baggage with our host in Knoxville so were obliged to go there.

If we had been given correct information in Knoxville about conditions in Tellico Blockhouse we would have brought our baggage along, and could have gone from here to South West Point; now we must make a detour of fifty miles. From Tellico Blockhouse to South West Point, where the wilderness begins, is about thirty miles. From Tellico to Knoxville is thirty-six miles, and from there to South West Point is forty-five miles.

In the evening we visited Captain Butler, who had been absent all day on business. We thanked him and his wife for the love and attention they had given us, and offered him an English copy of the Indian Mission History,[30] which he appreciated. He took a friendly leave of us and assured us again of his high regard for the Unity of Brethren.

[30] George Henry Loskiel, *History of the Mission of the United Brethren among the Indians in North America.* Translated from the German by Christian Ignatius La Trobe. (London, 1794.)

The 20th. In the morning the ground was frozen and there was a cold wind. We left Tellico Blockhouse early, passed Maryville, Little River, and Holston, and reached Knoxville before sunset. Last evening we wrote letters to Salem, which we could send off by post this evening.

The 21st. This morning we called on Colonel Henley, Mr. Blount, and others, and made provision for our further journey. We had our horses re-shod, so that they might not go lame in the wilderness and on the rocky Cumberland Mountains. In the afternoon about four o'clock we left Knoxville, and took the great road to South West Point. A few miles from the town we met a man, who advised us to take a short cut, where we would find good houses and plenty of forage for our horses. We soon found that we were on a road which had been opened recently, and that many stumps were left in it, through which it was very unpleasant to ride in the dark. We were received willingly in a clean house by the road. The owner told us that he had come from Pennsylvania four years before; that the country along the Holston was thickly settled; that an acre of land was sold for four or five dollars.

On *the 22*, we passed many mills, and ten miles farther again reached the great road. The land was partly level, partly broken and mountainous, but mostly good, resembling the uplands on the Tennessee. We saw many people, with wagons, going to Cumberland.

It was already dark when we came to a group of miserable huts, and as we had heard much praise of South West Point we asked where it was and were told that this was the place. We inquired about an inn and were told that we were in front of it, and that we would find the best service here and could get provisions of all sorts for our further journey. The looks of the house promised little good, but it was already dark and we had no choice. When we went into the building we found a miserable hovel, beside which an Indian hut is a palace. The hut was built of thin logs, badly covered, and had a fireplace at one end. The furniture consisted of benches along the sides of the hut, which were already being used by travelers as bedsteads. There was also a table, with brandy on it, and around it stools occupied by card players. This table was soon carried to the fire, and the game continued. Poor travelers could not get to the fire, although the night was cold, and the players would not permit a word to be spoken. No one took care of our horses; we must remain with them in the field all the time they grazed to keep strange animals away from them. We had eaten nothing all day, and now in a new log house, without roof or chimney, which stood some hundred of paces from the other building, we got a few bits of meat and a cup of water. When we wanted to lie down to sleep we were shown to a corner of the hut, farthest from the fire, as there was no other place, and there we lay on the ground, for the hut was not floored, and it was a cold bed. Fortunately, in another corner we found a bearskin on which we could lie, but the cold wind blew in from all sides of the unplastered house, the drunken men and the players made a constant noise, and we could not close our eyes. Toward midnight the players left, and we tried to get to the fire, now surrounded by dogs. We at last succeeded, put some ends of firewood together, and warmed a little. This house belongs

to Major King, and we heard later that it was the worst and most ungodly in the region. The last session of the General Assembly had resolved that a town should be built here, the lots were being laid out, and would be sold in several weeks. Near by is the Clinch River, and just below is the boundary between the state of Tennessee and the Cherokee land.

The 20th. We paid plenty for this very bad lodging, and set out on our farther way, and in about a quarter of a mile reached the ferry over Clinch River. A man on horseback, who joined us not far from there, asked leave to ride across the wilderness with us, for which we were glad especially when he said that he had ridden through often and knew the way. His name was Hanna, and he lived not far from Holston in the Little River neighborhood. He formerly lived with his father not far from Salem. He regretted that we had spent last night in that house. By his advice we inquired at the ferry house and got a satisfactory breakfast. Besides the inn there were several other buildings, including a store. This was already Indian land, which begins one mile from South West Point on this side of the river. The owner of the ferry, who is also the host of the inn, pays the Indians $600 a year for the privilege of running a ferry, and besides must put all Indians across free. This payment is not too great in comparison with the receipts, and he estimates that his cash receipts amount to $20 a day although he charges only 12½¢ for a horseman and $1 for a loaded wagon with four or five horses. It is the only authorized ferry over the Clinch, and this the only road which leads from the east to Mero District on Cumberland River, and also from here to Kentucky and the Ohio. Half a mile from here, on a point of land where the Clinch joins the Tennessee, lies the fort of South West Point. The garrison consists of eight hundred infantry and a company of light horse. The commandant is Major Peters, born in New York district, to whom we had a letter of recommendation from Captain Butler. We believed that if we called on this gentleman we would be detained too long, and we wanted to take advantage of the good weather to cross the wilderness, so we gave the letter to our host, who promised to deliver it to Major Peters with our compliments.

We were ferried across the Clinch River, which here is wide, and so clear that even where it was deep we could see the stony bottom. The so-called Wilderness begins at this river, which is an entirely unsettled tract belonging to the Indians, which is used by them only for hunting. The Wilderness lies between the Tennessee and Cumberland settlements, and one must travel eighty miles before reaching the first house. Concerning the miles in this Wilderness it should be noted that something more than a quarter of a mile extra is included in each mile, so that the eighty miles make more than a hundred ordinary miles. Through this Wilderness one must take all provision for man and beast, which we purchased yesterday. Corn for the horses cost more and more the nearer we came to the boundary line. First we paid one-third of a dollar for a bushel, then one-half, three-quarters, and yesterday a whole dollar.

Through this Wilderness runs a great road. On it we had first a level and then a mountainous way through pretty chestnut woods, until we

reached Little Cane and Big Cane Creek, where it became very marshy. Here we found some thirty persons who were moving to Cumberland with a wagon and five carts, and were slowly working their way through the marsh and mud-holes, in which the carts often sank to the axle. For half a mile we had a road that seemed to have no bottom, then we passed dry hills where only shrubs and grass grew, though we could see a few small trees. The road, however, was good and dry.

Twelve miles from Clinch River we came to the foot of the Cumberland Mountains. Here we met a large company who were coming back from Cumberland, and among them an acquaintance from the Hope[31] neighborhood in Wachovia,[32] by whom we sent hearty greetings to our Brethren in Salem. The Cumberland Mountains are not high, but are steeper and more difficult than they seem at first glance. Over the first ridge we led our horses. On the second, which is covered with rocks of sandstone, we found a family whose wagon had upset as they drove up, and they were now carrying their belongings up piece by piece.

Soon after we came to Mammy's Creek, a clear mountain stream, with high spruce and white pine on the banks. It did not look deep, but at the first step the water rose to the belly of the horses.

We rode on through the mountains until it grew dark. The road was covered with flat stones, and so bad that we went many miles on foot. We camped in the forest at a tiny brook beside a steep hill. Here in the Wilderness men let their horses run about a little in the evening, then feed them, and tie them securely to a tree near camp when they go to sleep. Travelers must take special care of their horses in the Wilderness, for many are stolen by the Indians, who slip about in the mountains, hunting. Today we have seen sixty-six persons in the Wilderness.

Sunday, the 24th. We had slept well in the starry night by our fire, which burned beside a fallen chestnut tree. Early in the morning we passed the famous Spencer's Hill. The mountain took its name from a certain Spencer, one of the first settlers in Cumberland, who often during the war rode alone through the Wilderness without being stopped by the Indians, until finally they shot him here, on a cliff between rocks. The road is so steep and stony it looks scarcely possible to take a wagon over it. In the beginning the road led directly down the mountain, but was as steep as a house-roof. Then roads went down the mountain to right and to left, all very steep and covered with flat stones, some of them lying above and directly across the road. A man passed us who had been obliged to harness seven horses together to draw an empty wagon up the mountain. Wagons cannot descend the mountain unless all wheels are locked and in addition a great tree is fastened behind the wagon. All the trees on top of the mountain have already been cut.

Now we came into a pretty valley on the so-called Crab Orchard. This piece of land would lie well for a farm; it would also be a great help for travelers if they could find shelter here in the Wilderness in bad weather. The government took up this matter in the last treaty conference, and pointed out to the Indians how hard it was if women and children

---

[31] The rural church known as Hope is nine miles west of Salem.

[32] Wachovia was the name given to the tract in North Carolina bought by the Moravian Church in 1753.

must pass the swollen river in times of rain. But the Indians would hear nothing about it, for fear that it would disturb their hunting ground. The most they would grant was that travelers might hunt for a mile and a half on either side of the road if they needed food.

So far the mountains had been of sandstone, but now we came to limestone and to a stream of some size which sank into the earth through a cave at the side of the road. We heard later in Cumberland that the walls of the cave were covered with stalactites and the floor with bones. For lack of torches we could not enter and look around.

Then we rode through a large, level plain, nearly free of trees and overgrown with grass which was now quite dry. At noon we rode through Daddy's Creek. It is a clear, deep stream, with a very strong current. The bed of the stream is of loose, flat stones. The Oby River, which we crossed three miles further on, is of the same kind. After even a moderate rain one can cross only by swimming, on the other hand it has water even in dry weather. After another three miles we forded Drowning Creek, then rode across level but poor country where many chestnut trees stood. On the road here we found an Indian who had shot a bear which he and his wife were busily skinning. He understood no English, but made us understand that he lived in Chillhowee; and we made him understand that we would like to buy a piece of the meat. He would not sell any, but made us a present of a piece of the neck which we prepared that evening. A pipe-head and some tobacco were to him a welcome present in exchange.

From a traveler we heard today that several wagons from Wachovia were not far ahead of us. We wanted to spend the night with them, but soon after midday it began to rain, increasing toward evening, forcing us to think about a night camp. With much effort we lighted a fire, pulled up some young trees and with them made a screen on the weather side, and hung our blankets over them. The saddle-bags were our couch, and the saddles our pillows. We could rest little, for the rain drops fell on us constantly, and the smoke was driven by the wind now this way and now that, nearly blinding us. Br. Steiner busied himself roasting over the coals the bear meat which we had cut into small pieces. Much was burned, and the tough neck meat, without salt, was not very good to eat. For tea we must catch rain-water in a leaf, for in this neighborhood there was neither brook nor spring to be found.

Monday, the 25th. Toward morning the wind veered to the northwest, and it became clear and cold. Now the wolves began to howl frightfully, but two or three gun-shots at some distance from us quickly silenced them. When we had started on our way we soon saw signs of the wolves near the place where our neighbors had spent the night and had driven off the wolves with their guns. This place was a well known camp, called *The Flat Rock* from a very large vein of rock which here comes to the surface.

After riding several miles we caught up with our neighbor in Wachovia, Johannes Binkley, with his son and their families, who were moving to the Cumberland settlement. The joy of meeting here in the wilderness was great on both sides. Last evening they had shot three bears, and had the meat in their wagon.

Now we rode for about twelve miles through mountains with steep precipices on the sides, but all the way had no water. The road on this mountain ridge turned to all corners of the earth. The soil is fairly good, and has a growth of unusually large poplars, chestnuts, also walnut and mulberry trees. Here we caught up with a herd of something over seventy cattle which was being driven to Cumberland.

On the last mountain the road divides, that to the left hand goes to Caney Fork, and to the right to Fort Blount, and we took the latter. The mountain that we had to descend was so steep that we had to lead our horses. Now we had still nine miles to the first house. The first low land to which we came was not bad, partly level, and had some cane by the streams, and we stopped to let our horses eat, for the feed we had brought with us had just given out.

Here, on the high trees, we saw the first Cumberland parrots. They were green, with red bills, and were somewhat larger than a pigeon. They pipe loudly, are usually in large flocks, and make a very great racket. They fly very swiftly, and as they always perch in the highest trees we could not see them distinctly.

Of trees we found beeches, slippery and other hickory, oaks, ash, poplar, walnut, honey locust, and on the stream banks unusually large sycamore.

After this plain followed more dry hills, the land was poorer, and so we passed over the Cherokee line into the Mero District of the state of Tennessee. Nearby was the first house, where lived a man named Blackburn. He and his family live like the Indians by hunting; and use their advantageous location to sell food and forage at an exorbitant price to travelers, who usually arrive in great need. Here a bushel of corn cost a dollar, and one pound of bear meat one-eighth of a dollar.

Among the rest, the people here were busy bringing dry, old, grass from the dry hills, which is then sold to travelers for good hay. We went three miles farther today and camped by a creek where cane grew, and made for ourselves a good fire from the wood lying around.

The 26th. Early in the morning we thought of the congregation in Bethabara, which today will celebrate its anniversary. As to ourselves: we traveled on through poor, broken land, and had eleven miles without seeing house or hut. Now we rode down Flins Creek, between two very high hills, which to the very top were covered with thick, tall cane and very tall trees. Most of this cane was one inch thick and fifteen to sixteen feet tall. In this valley we must ride through Flins Creek fourteen times. The bed of the creek was firm, with small, water-worn stones; outside it was marsh. In this valley it was extraordinarily cold, for the sun could scarcely shine through the canes, even at midday. Two families, which had come two days earlier intending to settle in this neighborhood, and many children with them, were in this cold hole without shelter and planned to spend the winter here, as they could best bring their cattle through[33] by using the canes for forage, and they had more than sixty head. In general the land is good, though hilly, and it is broken all the

[33] That is, feed them through the winter.

way to the Cumberland River, though for some miles on this side of the river there are a number of plantations, some of them good.

At noon we reached the Cumberland River in Summer County. It has high, rocky banks, but is not wide. We crossed the ferry to the north side, near Fort Blount. In the last Indian war there was a small garrison here, and there is still standing a roomy house which belongs to Captain Sampson Williams. We had a letter of recommendation to him from Colonel Henley, but he was not at home.

This place is sixty-six miles from Nashville, and leaving it we traveled westward over a new, marshy road, through narrow valleys, whose hillsides were covered with tall cane. This continued until evening. Because of the bad road we turned early into a large plantation which belonged to a widow Young. Soon a family arrived which was going down the river to Clarksville, one hundred and fifty miles from Nashville. They too spent the night. They told us that the land was settled to where they lived, and still further, but not thickly, for there were many dry hills where no one lived and between them lie the settlements.

The 27th. The night was cold, and in the morning it was so very cold that a pitcher of water that had just been filled was covered with ice in a few minutes. We were thankful for our good night's lodging even though we had to pay dearly for it.

We traveled then on a half-frozen, marshy road for five miles through the cane till we came to a well located plantation called Dickson's Spring, where the Caney Fork road unites with the Fort Blount road. The strong spring flows from under a ledge of rock and makes at once a pretty, wide creek, which not far below turns mills. Now we had a better way which was not so wet. We saw more farms. In the afternoon the road led us through the well known Bledsoes Lick, which lies in an open space and is somewhat depressed in the middle. At various places there are springs of black water, which smells like gunpowder; it is rich in sulphur. The first settlers saw great herds of buffalo here, which licked the water and the sulphur which it deposited on the old stumps. The cattle from the entire neighborhood assemble in summer around the springs. Near by is a large plantation with an inn. Here we saw the first orchard in Cumberland, with apple and peach trees.

Farther on we came to a place which belongs to General Winchester, and is called Crag Fort. Here large, stone mills are built on a creek, which was not large when we saw it but at certain seasons of the year is so wide and deep that it cannot be forded. Late at night we came to a Mr. McKnight who granted our request for lodging. Two years ago he came hither from Iredell County in North Carolina, has a smithy, and a horse-mill of which there are many here, for during the summer months there is almost no water, and water-mills cannot grind. At supper he offered a short but appropriate prayer. There was also a young man there who traveled about with a flute holding singing-schools. It began to rain and snow, so many people turned into this house.

The 28th. For the first half hour after we left it snowed heavily, then cleared, but the whole day was raw. We saw a number of fine plantations with good houses and level cornfields, some of them excellent camp sites

where during the Indian war there were posts for protection against the wild men. The fine growth of trees and the loose, black soil showed that the land was rich. But the people here complain much of sickness, especially of intermittent fever which appears toward the end of summer, and this year was more general than ever before. The cause of the fever seems to be that when the Cumberland River is full to the tops of its banks the water backs into the small streams which flow into it and the land is flooded.

Today we saw a number of persons moving from the more settled parts into the Caney Fork neighborhood, as there the cattle can feed on the cane without work on their part; others were moving back to Georgia; others again to Illinois or to Natches. The wandering spirit is in people, always seeking a paradise and never finding it.

In the afternoon, near Nashville, we crossed the Cumberland River for the second time. From a distance we heard the trumpets and saw the flags flying, for it was general muster here today.

When we came to the town we at once found people whom we knew.[34] We called on a former neighbor near Bethabara, Schauss by name, who a year ago established a pottery here, and claims that he has a good demand for his wares. He and another man, named Null, also an acquaintance from our neighborhood, work in partnership. They bring a certain kind of earth from Pennsylvania to mix with the clay found here, which is too rich for pottery. Both told us much about the western country. With a certain Mr. Austin, who wanted to open a lead-mine in Spanish territory, they had been to the Illinois River and beyond the Mississippi into Louisiana, and they had much to say about what they had suffered from the sickness which prevails in both neighborhoods.

The town of Nashville lies in Davidson County, on high hills close to the Cumberland River, and is the leading place in Cumberland. It is regularly laid out, and has a number of good buildings. It has about fifty houses. There is also a large, stone Presbyterian church here, in which a Presbyterian minister, named Craighead, preaches every four weeks. This man has built a stone church on his plantation in the country, and has there an inn and a mill. He also preaches every four weeks on his plantation, but people say that the attendance there is more for horse trading than for the preaching, for he is one of the best horse-traders.

Other denominations have no services here. A print-shop has been established, which will soon publish a weekly newspaper. There is much trade on the Cumberland River, on which large boats of ten to twelve tons can ply more safely than on the Ohio or Mississippi. The merchants get their goods in Pittsburgh; from there they are shipped down the Ohio and then up the Cumberland River. The convenient freightage by water is the reason that European wares, in spite of the distance from the seaports, may be bought here at a reasonable price. The inn in which we lodged, in which there is also a small store, has been rented by a Mr. Coleman from Major Lewis for $700 a year. We spent a long evening in a company which played until late at night, but we were not disturbed although they were fairly wild.

---

[34] Steiner and von Schweinitz went to Cumberland expressly to visit the settlers who formerly lived on the Wachovia tract in North Carolina.

The 29th. The morning was clear and very cold. We left Nashville, and must pay the highest rates for our poor lodging. Near the town is a beautiful forest of red cedar, and along the river lie the finest plantations. The road is covered with limestone. We ferried across the Cumberland River, which here is bordered by cliffs of rock.

Some miles from the river is Friedrich Stump's plantation which is very fine and large. It is on Whites Creek, and through it runs the road from Nashville and from the upper settlements to Robertson County and also to Clarksville. He has an inn, various mills, and fourteen other plantations which he rents to others for fifteen bushels of corn for each acre cultivated. This year he received more than two thousand bushels of corn. He is the Stump who in the year 1763 took an active part in the massacre of a number of peaceful Indians at Conestoga in Pennsylvania; then he fled to Georgia, and from there he moved to this place. He received us well as soon as he heard from whence we came.

Soon an old Carolinian, Adam Binkly, arrived, having heard that we had come. He was very glad to see us, and his first question was whether one of us would hold a service here. Br. Steiner told him that he would do it if they wished. "Yes, indeed," he replied, "we have already planned for that." He went with us a mile farther to the home of Casper Fischer, and ran ahead to announce our coming. Scarcely had they heard it when the old people and their son Friedrich came to meet us, and they were the happier because they had not expected the visit. Repeatedly they told us that they had not the words to express their joy. In this house we had our home so long as we were in Cumberland. (N.B. Br. Steiner's first wife[35] was the daughter of Casper Fischer.) Adam Binkly spoke at once of a service, and one was set for day after tomorrow, which will be Sunday. In the evening more acquaintances came to see us, as they did also during the next morning.

The 30th. Today we visited various plantations, accompanied by Casper Fischer and his son. We called on old Mr. Harvey, formerly our neighbor, and his son John, who was one of the first Methodists in this part of the world. Then we went to see Adam and Jacob Binkly, and it was agreed that the preaching tomorrow should be at the house of Fischer; the English, of whom many live hereabouts, had asked for it. Then we went to Friedrich Kapp, and to the widow Feiser, whose husband, John Feiser, after long suffering, passed out of time last Sunday, trusting in the merits of Jesus. The Methodists had visited him frequently, and told us . . . that he was entirely submissive to the will of the Lord.

From here a number went with us to Stump's, and on the way Br. Steiner had a pleasant talk with Friedrich Kapp, who showed his continued attachment to the Brethren, and greatly wished that they could collect a congregation here, or at least that a Brother might live here, which wish was expressed by many others also.

Our visit had become well known, and all seemed to rejoice in it. We had many visits from acquaintances and those who had not known us, and their only regret was that our visit would be so short. In the evening

[35] Abraham Steiner married Christine Fischer on December 2, 1789.

we had worship in Fischer's house, as we did each evening so long as we were there.

Sunday, Dec. 1. Although there was rain, with glaze ice, so many came to the preaching that had been announced that they could hardly find place to sit down in the dwelling and the adjoining house. As most of them were English there was first English preaching at twelve o'clock. Br. Steiner spoke on I Tim. i, 15. . . . By request Mr. John Harvey had brought a hymn book, out of which Br. Steiner lined the hymns and Mr. Harvey led the singing. The singing of the English was good. Immediately after this there was a German sermon, in which Br. Steiner spoke on Heb. ii, 14, 15. . . .

Immediately after the preaching Jacob Binkly and his wife asked that a service might be held in their house this week, chiefly in order that the many children in their neighborhood might once have an opportunity to hear something about the Saviour, and this was gladly promised.

In the evening we had a touching conversation with the Fischers about the grace and the pity of the Saviour for us. . . . Then we held a song service.

The 2nd. Today we looked over Fischer's plantation. He has bought one hundred acres of land from Stump for one dollar an acre. It has good, black soil, which usually produces fifty bushels of corn to the acre, and although the land is broken it does not wash easily. A spring has good water at this time of the year, but cannot be used in summer. We also saw his graveyard, which is on a pretty hill; in it already eight have been buried, mostly children of our acquaintances, and also young Feiser. Br. Steiner also visited a number of the neighbors and had confidential talks with some of them. . . .

In the evening Johannes Binkly arrived coming from the neighborhood of the Wachovia congregations. He was told by his friends that he was very welcome, but we more so, since we brought good news.

The 3rd. Br. Steiner was told that John Harvey, who is a beloved preacher among the Methodists of this neighborhood, would like to talk with him but was too shy to come here, so this morning we went to visit him. He said that he was very glad that two Brethren had come here, and would rejoice the more if one or more would come here to stay. That would be very useful for this neighborhood, where nearly all had sunk into sleep and continued to sin quite calmly. It would therefore be good if somebody would come to look after them. Interest in the Methodists was about at an end, and they were now fewer in number than formerly. Once there had been a fire among the residents, and he had never seen the power and work of religion so great as in this land; but for some years hearts had been growing lukewarm, and the love of many had waxed cold. It was therefore necessary that the people should hear the Gospel from others, and he believed the Brethren would be the most suitable to preach here. He advised Br. Steiner to preach sternly, saying that the inhabitants were so godless that they must be awakened by threatening and calls to repentence. Br. Steiner answered: "We preach Christ the Crucified, and the Atonement which He made. His death on the cross is the hammer which breaks the hardest heart; that we have experienced, and through it have been redeemed."

In the afternoon we made a number of other visits, and spent the night with Friedrich Kapp. He makes spinning wheels, and sells easily all he can make, receiving $4.50 apiece.

On *the 4th* we continued to visit, calling among the rest on Stump. He said among other things that people had many things to say about him, and yet he liked what was good. We would always be welcome to preach here, which was good for them and for others. The man promised that if a Brother would come here as a teacher he would give him fifty bushels of corn as a beginning. A sermon is preached in his house every four weeks by the Baptists, but his wife can hardly stand it that the Lord's Prayer is never prayed. The Baptists and Methodists are the only denominations on this side of the Cumberland River, and they are not numerous; most people have no religion, or at least no preachers. Some years ago there came a German preacher, Friedrich August von Prügel, and the Germans accepted him as preacher on favorable terms, but soon they had to dismiss him because his conduct and his preaching did not harmonize. Since then no German preacher has been here.

The wife told us further that when they came twenty years ago there were no white people here; their children were quite small; and in the beginning the entire family was sick. General Robertson had sent the first peach seeds and had ordered them planted. They had sent for a bushel of corn from the Chicasaw country and had planted all of it. They had gotten apples from Illinois, and had carefully saved the seeds and planted them, and so apples and peaches had come into the neighborhood. Cotton does well here; this year an acre produced 1800 lbs. in the seed, and that made 450 lbs. clean cotton.

The 5th. We went to Jacob Binkly's where a fairly large number had gathered. At noon Br. Steiner spoke to them on the Text for the day in the Unity, Luke i, 78. . . . There were many children in the assembly, and of their own accord all sat on the front bench.

Yesterday two wagons arrived, with two Binkly families coming from the Wachovia neighborhood. They had planned to go about their business today, but when they heard that there would be a religious service they waited and attended it. We spent the night with Jacob Binkly.

On *the 6th* we went to Stump's, and from there set out for Nashville with Mr. Brooks, a neighbor from Wachovia. We crossed the Cumberland River near a place where Waynesborough, a new town, has been laid out on a height on the north side of the river. We could not cross a little stream where the bridge was broken and the banks are so high that one cannot ride in, and the way around took us to the plantation of the district judge McNairy, who lives in a good, two-story house. This plantation has large, level fields, which can be used only for corn, for every winter they are flooded, and so are useless for winter grain. On the heights we saw one large field seeded with wheat. This was the place of the great swarming of the bees, of which so much was said, and which the superstitious country people took to be a bad omen. The story is that in September, 1798, more than forty swarms of wild bees gathered here in a short time, and attached themselves to the garden fence. A number of these swarms were hived, but they did not stay but flew again to the fence. Then they began to rob the tame bees, and as Mr. McNairy was not

at home the people knew nothing to do but to burn them, which they did with straw torches. Last fall, about the same time, twenty swarms of wild bees came to the garden fence. This time Mr. McNairy was at home, and would not allow them to be disturbed or harmed, and after a while they flew back in swarms into the woods. In the woods here there are many wild bees.

In Nashville we visited General Armstrong on business. He was glad to see us. Among other things he told us that in Nashville and the surrounding country, especially among the upper class, deism and irreligion were more than usually prevalent, that not only was the Saviour of the world not honored but that His story was discussed satirically in their companies, with shocking ridicule. He said that he had recently been in such a company, and after they had had their fun with religion they had turned on him, and had ridiculed him for his silly beliefs, as they called it. He could not defend himself, nor did he wish to, but he replied something like this: "Gentlemen! I do not make fun of such matters. I thing that among you all I have the safest belief. If what I believe is true that is my gain and your loss. If what you claim to believe is true it does you no good, and mine cannot harm me." And with that he left the company.

Then he took us to the Reverend Mr. Boyd, a minister of the English Episcopal Church, who had heard of our arrival and wished to speak with us. This Mr. Boyd was in Salem in the summer of this year, and welcomed us kindly. He inquired about several Brethren in Salem, about Br. Kramsch in Hope, and about Br. Steiner in Bethabara, and when he was told that this was the man he was very much amused. Last summer, on his journey, about thirty miles from here, he had the misfortune to break his leg. It healed well, but now he suffers much from rheumatic pains in that limb. He cannot go out of the house, but plans next spring to go down the river to Palmyra, to see the land which he received for his service as chaplain in the Revolutionary War. He praised the mercy which God had shown him, both formerly and on the journey here. He is not stationed here, but is only passing through, though slowly. He really lives in Georgia. On his journeys he has preached here and there, and especially in Knoxville, where he was much attracted to a young Indian man who attended his preaching. Now his physical infirmities do not allow him to preach. On this side of the river only the Baptists hold services, with the exception of the Presbyterians at two places. There are no Methodists or other denominations.

After this visit we rode up the river to Jacob Schor's. A mile and a half from Nashville we passed the large plantation of Major Lewis, but did not stop. He has good dwellings, fruitful fields, and more than one hundred Negro slaves.

Jacob Schor was not at home, but his wife received us kindly. . . . Her brother, Daniel Hauser, who had come to meet us, and a single man, Michael Schneider, kept us pleasant company until late at night. This Schneider, a blacksmith, has a good business here, but must pay one shilling a pound for iron which is brought by water from Kentucky. He receives $4.00 for shoeing a horse on all feet; a man who furnishes the iron pays $2.00 for the work.

[At this point the two Brethren began to retrace their steps, and only those parts of the diary are translated which supplement the outward trip.]

Dec. 7. On the way back we called on General Armstrong and Mr. Boyd in Nashville.

Sunday, the 8th, was a beautiful day, and about two hundred persons from this neighborhood and from Nashville and beyond gathered at Stump's house for the appointed preaching.

After most of the people had left Stump gave us a dinner, to which our acquaintances and friends were invited. This offended many, for they said that Stump had never invited the Baptist preacher who was there every four weeks. Others said it was because he and his wife had so greatly enjoyed our visit.

On *the 9th* we took an affecting leave of the Fischers. Friedrich Fischer accompanied us to our night camp, and carried our provisions, with which we had been plentifully supplied. Daniel Doll traveled with us; he came from the neighborhood of Wachovia and had been in Cumberland for fifteen months. Twenty miles from Fischer's, on the plantation called Camp Station, we found a burning log in the forest, by which we camped in the clear moonlight.

Today we turned a little from the road and traversed upland, passing many good plantations, on which were well-built houses, often of stone. In two places we found in the forest red earth, which colored all the stones and fallen trees, and even some distance up on standing trees. The soil seemed to be as good and rich as any other, and had the same growth on it.

To add something concerning the land which goes under the name of the Cumberland Settlements. So far as we have seen it, it has a black, rich, lime soil, which in dry weather is light, but in wet weather becomes very slippery and marshy. . . . Of trees there are beech, sugar trees, honey-locust, buttonwood, hackberry (a weak, white wood, which bears many small berries, of the size of a wild cherry, which can be eaten), buckeye, sycamore, poplar, gum, walnut, cherry, mulberry, hickory, ash, and various kinds of oak, also red cedar where it is stony. The sugar trees are very useful, but are so badly treated that they cannot last long. The making of sugar begins in December, and then the trees are hacked, and as soon as the flow of sap decreases they are hacked again, and in that way many trees have been cut through. Among the shrubs there are papaw, leatherwood, and a small shrub which bears little red berries.

Of water the country has too much in winter and spring, and too little in summer and autumn. There are few springs which furnish water all the year. There are still fewer water-mills which can run all year, and horse-mills can be seen everywhere.

Large districts are so closely settled that one can call from one house to another, or can at least see. Farming is chiefly for corn and cotton, with some tobacco; little wheat is raised, partly for lack of good mills, and partly because worms eat it. There are not many vegetables. Some varieties have not been introduced and others do not do well. This year nearly all the cabbage was eaten by worms. Cattle-raising also is not good.

Of wild animals there are deer and bear, and many squirrels; and among the birds the parrots should be noted especially. Of vermin there are ticks and seed-ticks, many more than in Carolina.

Such products as are exported go to New Orleans. Salt is brought from Kentucky, and is very expensive here, namely fifty pounds for four dollars, occasionally for three dollars and a half. Besides water-mills and horse-mills there are some powder-mills, and some machines for cleaning cotton, which are turned by horses. On such a mill as much as two or three thousand pounds of cotton can be cleaned of seed in a day, for which about 20% is paid.

Of minerals, so far as we know, there are iron and lead. Coal is found in abundance. Limestone is everywhere. There are many *licks* where the water tastes not only of salt but still more of sulphur.

Of antiquities, one finds many graves over all the land. These graves are of different sizes, and are found especially on the streams where flat stones abound. If they are dug up, bones are found of grown persons and of children; some are of giant size. From what race they come is unknown.[36]

Little attention is paid to religion and religious services. English schools are nearly everywhere, and the children at least learn to read and to write, and the beginnings of reckoning.

The 10th. It was twenty-seven miles from our camp to Dickson's Spring, and we found the road dry. We particularly noticed the small gray squirrels, of which we saw many hundreds on the road. They are a veritable plague in this country, and do great harm in the cornfields.

From Dickson's Spring we took the southern way, called the Caney Fork Road, since on the way out we learned to know the Fort Blount road so unfavorably. During the afternoon a light but warm rain began, but we rode on for ten miles, crossing deep muddy places in the high cane. Finally rain and darkness forced us to stop. We decided to camp by a fallen tree, near a tiny stream, but the rain grew worse steadily, and we could neither prepare supper for ourselves nor feed our horses, which we hobbled and turned loose in the canes.

The 11th. After a most uncomfortable night, we started early, the rain continuing. Our horses were swollen, and trembled from cold and wet. We rode to Walton, who has the ferry over the Cumberland River, where a bear steak tasted good, and we spent the morning drying our things. On the other side of the Cumberland River the Caney Fork empties into it. The land on the Caney Fork is being more and more settled since a well-to-do man named Lancaster has come there and has built a mill that has water enough to run the entire year.

The road over the mountains was very steep, but taking it all in all it was much better than the Fort Blount road. When it was already dark we reached the house of Mr. Shaw, the last before entering the great Wilderness. We were readily received, and found a place to lie down on the dirt floor before the fire. Everything here is primitive, but one is glad to find a place of refuge, coming or going.

---

[36] The vicinity of Nashville has revealed many antiquities showing excellent workmanship. Stone-lined graves have been found in considerable numbers. Skeletal remains tally with the Indians, and not some giant race. See Thurston, *Antiquities of Tennessee.*

Here, near the Wilderness, there are deer, bear, and wolves in large numbers; one also finds panther, wildcats, and buffalo. The Indians seldom kill the latter, for they are shy and fast, and are not likely to fall at the first shot. Shaw told us that about seven miles from here there is a large salt spring, and nearby one found vitriol earth in quantity; a hat-maker in Nashville had tested it and found it very good. He showed us some white pieces of it, and it had a very strong taste.

A company was waiting here for better weather, and they, as many others, complained of the lack of money in the land. If money is brought in by travelers it passes into the hands of the merchants, who send it to the seaports to buy wares. It is the general opinion that this section will never become prosperous until manufacturing is introduced, for it is too far from market.

In the evening it began to snow. The company lay in a semi-circle before the fire, which was kept burning all night. Four or five times the wooden chimney caught fire; there was no water, but snowballs were thrown into the chimney until the fire was put out.

The 13th. Toward morning the sky cleared, and the snow lay several inches thick. We rode out with our company into the Wilderness. We rode until dark and camped three miles from Flat Rock. Because our company was large we divided, and built two big fires. Others joined us at midnight.

The 14th. We proceeded, our company having increased to fourteen persons and seventeen horses.

Having crossed the steep Spencer's Hill we rode several miles farther and camped again around two large fires, where we roasted venison on small sticks, and spent most of the night drying our things, which had been soaked three times today.

The 15th. At the foot of the Cumberland Mountains we met several poachers, who had come from the settlements into the hunting ground of the Indians. According to the provisions of the treaty they would have been severely punished if the Indians had complained of them.

The Clinch River, which we crossed by ferry at noon, was very high. Seven miles farther a clean resting place was found for the night.

The 16th. Having rested well we started on at half past four; and reached Knoxville at four o'clock in the afternoon.

The 17th. It continued to rain so we stayed here.

The 18th. Because of rain we made only twenty-four miles, and were glad to reach the home of Mr. Braselton about four o'clock.

On *the 19th* we had clouds and mist. We left the Watauga road and turned northward toward the Holston and the Kentucky road, spending the night in the house of Mrs. White. This family came a few months ago from Buncombe County in North Carolina, which they reckon to be forty miles from here. This would be our shortest way to Salem, but the road crosses high mountains; in rainy weather the streams are in flood, and there are no ferries.

The 20th. We crossed the Holston at Mr. Rod Keener's ferry; then in Hawkins County took the great Kentucky-Cumberland road to the home of Jacob Klein, a German, who has a good inn, and stable and forage for horses. Some years ago he came hither from Tulpehoken in Pennsylvania.

The 21st. We crossed the North Fork of Holston to Ross' iron works. Reedy Creek was very high, and we went around it and over hill and vale reached the great road and left the Holston, up which we had ridden for many miles.

In the evening we came to the home of a German, Haak by name, who made difficulty about taking us in until we told him that Jacob Klein had sent us, and then he gave us permission to enter and took good care of us.

The 22nd. We rode eight miles, then turned south one mile to the home of Samuel Sehnert, who lives in Washington County, Virginia, a few hundred paces from Sullivan County, Tennessee. Samuel Sehnert, his wife, and his old mother received us gladly, and would not let us go further today. The old mother said she wished she could be again near a congregation of the Brethren, and that in the three years of her residence here she had recently heard the first sermon. (Br. Steiner's present wife[37] is her daughter.)

The 23rd. The Iron Mountains, ten miles from Sehnert's, were covered with snow, and were all day on our right hand.

In Abingdon it was very lively, as many from the neighborhood had come to buy something for Christmas. We rode on for nine miles and spent the night with Mr. Kincannon, where we were well cared for.

The 24th. We rode more than thirty miles, and when we wished to stop for the night we were turned away from a number of houses which were full of Christmas guests. The night was very dark, the road very rough and frozen, but we had to ride four miles to an inn, kept by Mr. Stähly, a German. It was a good house, and no Christmas guests, only some travelers.

The 25th. We took the Cripple Creek road to Austinville. The morning was cold but the day was warm. The Germans in this neighborhood looked festive in their white hunting shirts; and from the smiling faces of the Negroes one knew that it was Christmas.

In Austinville we spent the night at the inn of the widow Jenkins. Mrs. Jenkins complained that it had been wild in her house that day, for Mr. Austin had given a dollar to each person connected with his lead workers and they had been enjoying themselves. Now, however, the money was all spent, they had gone home, and the house was quiet.

The 26th. We crossed the Blue Ridge by Ward's Gap, and lodged with Mr. Jost, who agreed to do his best for us. Here it was rather noisy, for a group of people were closing the holidays with playing the fiddle, dancing, and drinking.

The 27th. We set out at dawn, and about noon reached the home of Mr. David Davis. A few days before he had been so fortunate as to capture a murderer from Cumberland, on whose head there was a reward of $1,000. We took supper with Mr. East on the Little Yadkin; reached Bethania at nine o'clock, stayed there an hour and reached Bethabara at eleven.

Saturday, Dec. 28th, in the morning at eleven o'clock, we arrived in Salem, after a journey of more than thirteen hundred miles.

---

[37] Steiner married his second wife, Catharina Sehner, on July 31, 1791.

BOOK REVIEWS

HISTORY OF WAKE FOREST COLLEGE. By George Washington Paschal. (Wake Forest, N. C.: Wake Forest College. Vol. I, pp. viii, 681, 1935; vol. II, pp. viii, 532, 1943; vol. III, pp. viii, 539, 1943. $2.00 a volume or $5.00 for the set.)

The publication in 1943 of volumes two and three of the *History of Wake Forest College* by G. W. Paschal completes the author's exhaustive and authoritative history of his alma mater. Volume one, covering the period from 1834 to 1865, was reviewed by E. M. Coulter in *The North Carolina Historical Review,* vol. XIII, no. 1 (January, 1936), and therefore the present reviewer will confine his attention chiefly to volumes two and three, which carry the account forward to 1943.

A work executed on so elaborate a scale by one of the leading ecclesiastical historians of the country evokes not only the appreciation of friends of Wake Forest College, but also the interest of students of higher education throughout the United States.

There is not the slightest doubt that Dr. Paschal, in preparing his history, followed the advice of Dr. R. D. W. Connor of the University of North Carolina and "put in everything." The three volumes not only touch but illuminate every phase of college life; and, in addition, they contribute significantly to the religious and educational history of the state. A wealth of statistical data has been relegated to footnotes and appendices; even so, the text contains many items which ordinarily would have been omitted or placed obscurely in footnotes. This observation is not made in censure, for Dr. Paschal was pursuing a plan, boldly conceived and tirelessly followed. Impatient readers may criticize the plan, but not the performance.

After recounting the brave efforts of Samuel Wait, W. M. Wingate, and others in the ante-bellum period to establish a Baptist college "in the County of Wake," the author, in launching volume two, presents a picture of ruin and desolation. Despite the loss of endowment and the deterioration of the building, the College was reopened in January 1866. Then followed lean years. Not only were the Baptists of the state financially unable to patronize the College, but there was everywhere

in evidence a spirit of indifference to education, Christian or otherwise. Once more, agents entered the field to solicit funds. Indeed, one gathers from reading Dr. Paschal's volumes that the history of the College from 1867 to the present has been punctuated regularly with "drives" for needed funds. One of the most successful agents, J. S. Purefoy, had the temerity to solicit financial support in the North, and with surprising success. It is remarkable that so soon after the Civil War Purefoy was able to collect money in the North for a small, struggling denominational college in North Carolina.

Raising the first one hundred thousand dollars was the most difficult task. To achieve this goal, Professor Charles E. Taylor went to New York and secured a substantial contribution from J. A. Bostwick. As a result of President Taylor's tactful approach, Bostwick's interest in the College grew; and later, by terms of his will, Wake Forest received the major portion of its endowment.

President Taylor's administration is treated in great detail. His contributions to the College were impressive. Not only did he place it on a solid financial foundation, but he stressed high standards of conduct and sound scholarship.

Dr. Paschal points out that during President Taylor's administration (1884-1905), friends of Christian education in the state ranged themselves in opposition to free scholarships and liberal state appropriations for the University of North Carolina. President Taylor, in a well reasoned paper, took the position that all the people should not be taxed to educate a few in the state university. This unfortunate controversy was rehearsed until the high schools of the state turned out enough graduates to supply all institutions of higher learning with a complement of freshmen.

In volume three Dr. Paschal, with keen insight, enters upon an appraisal of the administration of William Louis Poteat (1905-1927). After devoting 135 pages to various aspects of the Poteat administration, the writer passes on to a consideration of "The Library," "Summer School," "The School of Law," "The School of Medicine," "Administration of Francis Pendleton Gaines," and a series of chapters dealing with the expansion of the College under President T. D. Kitchin. The author does not overlook such topics as athletics, literary societies, trustees, commencements, religious conditions, and faculty.

President Poteat, a man of ripe scholarship and broad culture, stamped the College with a spirit of liberalism and toleration. It was inevitable that his well known views on evolution would in time precipitate a controversy within Baptist ranks. During the period when Fundamentalists were arrayed against Modernists, President Poteat's views on evolution were violently assailed. At the State Baptist Convention at Winston-Salem in 1922 President Poteat in a notable address, excerpts from which are cited (III, 127), planted himself squarely upon the Bible as "the final authority for faith and practice." His address was not only a personal triumph; it was a triumph of Christian principles. Dr. Paschal handles this whole matter with consummate skill.

For the most part, the writer links developments at Wake Forest with their counterparts in the South. In his treatment of the decline of Latin in high school and college, the disappearance of the denominational academy, student demands for more social life, and the transition from the old-fashioned revival to "Religious Emphasis Week," he could and probably should have pointed out that these changes were not peculiar to Wake Forest.

The author acknowledges that at times he allows his admiration for the men who struggled to make Wake Forest the outstanding institution it is to render his judgments subjective. Since the author shared largely with others in contributing to the growth and eminence of the College, the reader will doubtless pardon a note of personal pride and satisfaction in its achievements.

There is some repetition, but no triteness in the narrative. The text is uncommonly free of typographical errors. All volumes are provided with adequate indices and appropriate illustrations. The bibliography is found in the footnotes. The entire work, based largely on original sources, is executed with meticulous care and thoroughness.

ROSSER H. TAYLOR.

FURMAN UNIVERSITY,
GREENVILLE, S. C.

A BRIEF DESCRIPTION OF THE PROVINCE OF CAROLINA. Reproduced in facsimile with an Introduction by John Tate Lanning. (Charlottesville: University of Virginia. 1944. Pp. 24.)

The rarity and importance to Carolina history of *A Brief Description* are such that a handsome and accurate reproduction

of this pamphlet of 1666 needs no extended justification. The volume is well designed and the press work, though not superlative, is adequate.

There are two editorial notes, both by John Tate Lanning of Duke University. The bibliographic note in turn has two parts. That which concerns the map accompanying the pamphlet draws heavily on Worthington Ford's article in volume XVI of the *Geographical Review* (called the *Geographic Review* by the editor). In the reviewer's opinion, Mr. Ford's meticulous pedantry regarding the efforts of Hawks and Bryant and Gay to reproduce this map obscures the fact that both have long been useful and that no historical errors can be traced to their failure to achieve perfection. The Richard Blome map of 1672, reproduced in part by Salley in the *Narratives of Early Carolina*, also, it may be said, repeats practically all of the details. The fact that the map of 1666, now reproduced in facsimile, is in all probability a William Hilton map gives an earlier Hilton-Shapleigh manuscript map of 1662—unfortunate called by Mr. Ford the Locke map—some importance in this connection. It is available in a number of American libraries in photographic form, being contained in Archer B. Hulbert's *Crown Collection of Photographs of American Maps*.

In the second part of the bibliographical note, Dr. Lanning has shown clearly that Hawks' statement that the *Brief Description* is a second edition of the proprietors' proposals of 1663, is erroneous. But I think Dr. Lanning need not feel perturbed at not being able to see the original manuscript of the proposals of 1663 in the Public Record Office. It is clear that the document printed by Hawks and Rivers is that calendared in the *Calendar of State Papers, Colonial. America and the West Indies*, 1661-1668, par. 536.

In his historical introduction it is my opinion that Dr. Lanning exaggerates the danger to the proprietors' interest from the claims of the New Englanders who had attempted to colonize North Carolina. In 1663 no Massachusetts group was in a position to take on any added battles; the leaders of that colony were too busy defending themselves. The conclusion that the settlement so positively dated as of May 29, 1664, was that of the "Gentlemen of Barbadoes" may be correct but unless Dr. Lanning has evidence which he does not give, it is unproven. And finally, I cannot agree that the proprietors of Carolina ever

"faced with imagination the realistic aspects of planting colonies." Like practically all colonial proprietary bodies, their lack of constructive imagination and of realism was their predominant characteristic.

But the main thing is that we now have an accurate and inexpensive edition of an item of prime importance in its field. May the Tracy W. McGregor Library's series have a long life!

ROBERT E. MOODY.

BOSTON UNIVERSITY,
BOSTON, MASS.

ADDRESSES, LETTERS AND PAPERS OF CLYDE ROARK HOEY, Governor of North Carolina, 1937-1941. Edited by David Leroy Corbitt. (Raleigh: Council of State, State of North Carolina. 1944. Pp. xxxi, 869.)

This volume is a continuation of the papers of all the governors of North Carolina from Bickett through Hoey with the exception of J. C. B. Ehringhaus. It introduces two innovations: twenty-seven interesting and appropriate illustrations, and an appendix of some fifty pages of laudatory newspaper editorials praising Hoey's policies. As Robert L. Thompson remarks in his biographical sketch, Governor Hoey was exceeding popular during his administration. But we question the wisdom of bringing in unofficial items of this sort, although North Carolina's record of political leadership does not suggest that this could become an embarrassing precedent.

The messages to the General Assembly are here grouped together. They are important documents. Next in importance would seem to be the list of the governor's appointees, with dates and citations to the laws authorizing the appointments. Some 350 pages are given to public addresses, arranged chronologically, and in the appendix is a list of the 976 public addresses which the governor made during his administration. The printed addresses are followed by several hundred statements and articles for the press issued by the governor. These are on all manner of subjects, and if some of them seem quite unimportant they at least suggest the variety of affairs with which the state's executive must be concerned. The section given to letters and telegrams runs to less than fifty pages. We must assume that those printed constitute a very small percentage of the total, but the basis of selection is not indicated.

Considered as a whole, this is a useful volume and much more interesting than the above comments may suggest. It covers many aspects of an administration of which the people of the state have a right to be proud as well as a right to be informed.

R. H. WOODY.

DUKE UNIVERSITY,
DURHAM, N. C.

NEW VIEWPOINTS IN GEORGIA HISTORY. By Albert B. Saye. (Athens: University of Georgia Press. 1943.)

New Viewpoints in Georgia History describes the growth of Georgia's political institutions from the founding of the colony to the adoption of the constitution of 1789. The title is addressed primarily to the general reader rather than to the professional historian, for as the author says, historians have long offered a broader view of the origins of Georgia than the public has been willing to accept. At the same time, however, there is material here which will be of interest to colonial historians, particularly in the chapter dealing with the constitution of 1777.

The first chapter, "The Genesis of Georgia," contains the most heavily stressed "new view point" in Georgia history. It is that Georgia was not settled primarily or even largely for the relief of debtors, that the influence of Dr. Bray and his associates has been greatly overestimated, and that at the outside not more than a dozen debtors were ever sent over by the trustees. In fact, as Dr. McCain pointed out a good many years ago, not a single person actually in debt was ever sent over, since the trustees required that a man's debts be paid before he could be accepted as a settler. More important than philanthropy in settling Georgia were the military and economic needs of the British Empire, and it was on these grounds that Parliament was willing to support the enterprise.

The first is the best chapter in the book. Although the idea is not entirely original with Dr. Saye, the variety of source materials used to explore the problem, the detailed and careful research that was done in it, and the clear exposition make this chapter the authoritative study of the origins of Georgia.

The other chapters trace in somewhat more familiar detail the changes in colonial and state government, with less attention to local institutions. There is a careful analysis of the con-

stitution of 1777 with good comparison made between it and the liberal constitutions of Pennsylvania and Vermont. The constitution was unusual in several features. It foreshadowed popular initiative in the unworkable scheme for amending it, set up a unicameral legislature and a plural executive, and provided for compulsory voting and almost universal suffrage. The judiciary was equally unusual. There was no supreme court, only a series of practically independent county courts with final jurisdiction. The diversity of judicial interpretation thus permitted was the most serious defect in the new government, thinks Dr. Saye, but it was not remedied until a supreme court was established in 1845.

The University of Georgia Press has published the book in attractive form, and part of the work was done under a grant from the University Center in Georgia, thus demonstrating in effective form the coöperation that is possible among institutions of good will.

PHILIP DAVIDSON.

VANDERBILT UNIVERSITY,
NASHVILLE, TENN.

THE PLAIN PEOPLE OF THE CONFEDERACY. By Bell Irvin Wiley. (Baton Rouge: Louisiana State University Press. 1943. Pp. ix, 104. $1.50.)

BEHIND THE LINES IN THE SOUTHERN CONFEDERACY. By Charles W. Ramsdell. Edited with a Foreword by Wendell H. Stephenson. (Baton Rouge: Louisiana State University Press. 1944. Pp. xxi, 136. $2.00.)

These two volumes of essays on the Confederacy were originally delivered in the Walter L. Fleming lecture series at Louisiana State University. Each volume consists of three lectures; in addition the Ramsdell volume has an appropriate and appreciative Foreword by the editor on the career and work of the late author and a bibliography of his writings.

That two scholars, one a young man who has written two excellent books on the Confederacy, and the other the acknowledged dean of students of the Confederacy should find in the internal or domestic history of the Confederacy many of the reasons for its failure is a commentary on the importance of the home front. It is probably safe to say that the war was lost at home before it was lost at Appomattox. It would be absurd to minimize the importance of the military front, but the army had to draw its strength from the people for there was no other source.

Professor Wiley's authoritative chapter, "The Common Soldiers," reminds us that they were subject to all the ills of mankind. The lack of supplies was in contrast to the abundance of flies, mosquitoes, and lice; the "drabness of camp routine" and the dearth of amusements could not be relieved entirely by gambling and drinking or the occasional religious revival. The whole gamut of diseases, known and unknown, flourished under inadequate hospital and sanitary arrangements.

Professor Wiley's lecture on "The Colored Folk" reveals that on the home front the slave seemed to suffer the least. At the same time he was eager to enjoy freedom and when occasion offered he asserted himself, although large-scale insurrections were not attempted. There were examples of devotion to the master on the part of the slave, but "instances of such positive loyalty were exceptional."

The description of "The Folk at Home" in Dr. Wiley's second lecture illustrates many of the points Professor Ramsdell makes in his more intensive study. The two volumes are complementary, and while there is some over-lapping, this serves a good purpose. The unusual instance of the two authors quoting from the same manuscript source (curiously enough the quotation appears on page 47 in each case), is the exception and not the rule.

Professor Ramsdell's three lectures on the complicated problems of the home front are both comprehensive and penetrating. Four conclusions stand out: the problems were numerous and far-reaching; they were insoluble (under the circumstances); inflation on a vast scale was deadly but unavoidable; and in the struggle to keep things going the Confederacy resorted to extraordinary means which were contrary to Southern traditions. The difficulties of the time led the states to resort to expedients which would have been unthinkable before the war. They bought and sold supplies, engaged in the export and import business, subsidized private industries, and some undertook manufacturing on their own account. More than one state owned salt works; Texas established a cloth factory and a foundry for munitions. The control of agriculture was used to restrict the production of cotton and tobacco and to increase food crops. Prohibition was begun largely to conserve grain supplies but partly to inculcate temperance. The instability of the domestic economy encouraged speculation which was everywhere condemned and widely practiced. The gulf between

the rich and the poor was accentuated. The impressment of goods at prices below the market could only cause resentment. The breakdown of the transportation system, the lack of machinery and labor, together with the ever-tightening blockade, simply meant the impoverishment of the people and the inability to produce the things necessary to sustain the war. To do the things that needed to be done the state undertook measures which "involved an unprecedented extension of political authority . . . which ran counter to the whole political philosophy of the southern people." To these measures the people generally assented, but other difficulties, especially the financial one, proved insuperable.

R. H. WOODY.

DUKE UNIVERSITY,
DURHAM, N. C.

JEFFERSON AND THE PRESS. By Frank L. Mott. (Baton Rouge: Louisiana State University Press. 1943. Pp. 65. $1.00.)

This little volume by the "dean of American journalism" is a readable, well documented epitome of Jefferson's philosophy concerning the press, and a review of his experiences with the newspapers of his time. It is a convenient pocket reference work on the subject in which the writer maintains the "dignified restraint and even tenor" for which he compliments Jefferson.

Dr. Mott is concerned with clearing up the confusion resulting from the conflicting statements cited by those who have used Jefferson to support their arguments. He finds no essential inconsistency in Jefferson's record; he maintained throughout his life his basic principle of a free press as a necessity in a democratic society. The apparent contradictions in some of Jefferson's statements were due, not to a change in his fundamental beliefs, but to his growing disapproval of the behavior of the press.

The author feels that the much quoted statement, made to Dr. Currie, that "freedom of the press cannot be limited without being lost," was one of those rare slips in which Jefferson yielded to literary effect rather than qualifying his words as he usually did. A more typical utterance was the one made in 1804 that the states had the right to control the press, even though Congress did not. Libel laws were the limitation, and

Jefferson approved them. After 1803 he came to favor more frequent use of that kind of restraint.

Perhaps Dr. Mott might well have made more of the point that Jefferson's objective was an informed public opinion, not the protection of printers as a class. If he were in public life today I imagine that he would be just as solicitous about freedom of oral expression as he ever was about the freedom to print. And he might be less charitable to malicious newspapers than he was when he was so badly used by them.

CULVER H. SMITH.

UNIVERSITY OF CHATTANOOGA,
CHATTANOOGA, TENN.

HISTORICAL NEWS

In February the annual celebration of Negro History Week was held at Elizabeth City State Teachers College. President Harold L. Trigg of the college was the chief speaker.

The North Carolina Division, Children of the Confederacy, held its eighth annual convention in Wadesboro, June 7-8.

On June 21-23 at Chapel Hill there was held a Conference on Inter-American Affairs, sponsored by the Inter-American Institute and the Summer Session of the University of North Carolina.

At Chapel Hill, June 28-30, was held the Social Studies Conference, sponsored jointly by the North Carolina Council for the Social Studies and the Institute for Research in Social Science.

On July 2 St. Mark's Lutheran Church at China Grove celebrated its fiftieth anniversary.

At the Joint University Libraries, Nashville, Tennessee, July 12-14, there was held a conference of Southern librarians and college and university administrators "to explore and define opportunities for the development of library resources for research and the improvement of higher education." Present from North Carolina were Dr. Charles E. Rush and Mr. Olan V. Cook of the library, Dr. Sturgis E. Leavitt, professor of Spanish, and Dean W. W. Pierson of the graduate school, of the University of North Carolina at Chapel Hill; Dr. W. T. Laprade, head of the history department of Duke University; and Dr. Christopher Crittenden of the State Department of Archives and History.

The Trinity Moravian Church at Winston-Salem on August 6 celebrated the twenty-fifth anniversary of the pastorate of Reverend Douglas L. Rights.

On August 18 the birthday of Virginia Dare was celebrated on Roanoke Island, and the Roanoke Island Historical Association announced the appointment of a state-wide board of trustees to plan the revival after the war of Paul Green's historical drama, "The Lost Colony."

The Rutherford County Historical Association, which had been inactive for two years, was reorganized at a meeting in Forest City, August 18. The following officers were elected: Mr. Clarence Griffin of Forest City, newspaper editor and member of the board of the State Department of Archives and History, president; Mr. J. J. Tarlton of Rutherfordton, county superintendent of public instruction, first vice-president; Mayor Herbert Crenshaw of Spindale, second vice-president; Mrs. A. C. Duncan of Forest City, secretary; and Mr. J. Worth Morgan, cashier of the Union Trust Company of Forest City, treasurer. At the meeting a program of activities was discussed, including plans for a World War memorial or memorials.

A Liberty ship constructed at Brunswick, Georgia, has been named for R. J. Reynolds, North Carolina tobacco manufacturer.

A United States destroyer escort vessel built in Orange, Texas, has been named for John Williamson, seaman first class, who was killed in an action with the Japanese in the Solomon Island area, November 12, 1942. For heroism in this action Williamson was posthumously awarded the Navy Cross.

In the courthouse at Wadesboro the Anson County Chapter, United Daughters of the Confederacy, is preserving a "Book of Remembrance," containing the names and records of men of the county who served the Southern cause, 1861-1865.

Christopher Bush Coleman died on June 25 at the age of sixty-nine. A native of Springfield, Illinois, he did undergraduate work at Yale and graduate work at Chicago, Berlin, and Columbia. Having taught history at Butler College and later at Allegheny College, since 1924 he had been director of the Indiana Historical Bureau.

Mr. Dan Lacy has been made Director of Operations of the National Archives. A native of Rocky Mount and a graduate of the University of North Carolina, A.B. and A.M., Mr. Lacy for several years headed the WPA Historical Records Survey in North Carolina, and later served as assistant national director of the HRS.

Dr. Fletcher M. Green of the University of North Carolina at Chapel Hill is visiting professor at Harvard University during the present academic year.

Dr. Eugene E. Pfaff, former executive secretary of the Southern Council on International Relations, has been named executive director of that organization, succeeding Dr. Fletcher M. Green.

Dr. John Hope Franklin of the North Carolina College for Negroes in Durham is teaching two sections of the general history course at Bennett College in Greensboro.

Dr. Nora Chaffin, formerly of the Woman's College of Duke University, is now dean of women and assistant professor of history at Vanderbilt University.

During the current academic year Dr. S. T. McCloy of Duke University is serving as visiting professor of history in the University of Kentucky.

During the past summer Professor Paul H. Clyde of Duke University served as visiting professor at Stanford University.

Dr. John Tate Lanning of Duke University served as visiting professor at the University of Utah during the summer.

Dr. Bayrd Still and Dr. Richard L. Watson, on leave from Duke University in the United States Army, have recently been promoted to the rank of major. They are assigned to participate in the writing of a history of the Army Air Corps in Washington.

Dr. Harold T. Parker of Duke University is on duty with the Army Air Corps in New Guinea. He has recently published a book entitled *Three Napoleonic Battles.*

Professor Dorothy M. Quynn has been granted a leave of absence from Duke University to do war work during the academic year 1944-1945.

Mr. C. C. Montgomery of the University of Missouri has been appointed instructor in history at Duke University for the two semesters beginning July 1, 1944.

Mr. D. G. Brandon of Elizabeth City State Teachers College is on leave of absence during the current academic year in order to continue his graduate studies.

Mr. R. C. McConnell of Elizabeth City State Teachers College is in the armed forces.

Mr. E. K. Williams of Elizabeth City State Teachers College

has been serving with the armed forces for more than two years, and has been overseas for several months.

Dr. Arthur Edwin Bye, portrait restorer, resumed work in his studio in the Hall of History on September 1 after an absence of two months in Pennsylvania and Idaho. Doctor Bye is now working on portraits belonging to the Supreme Court of North Carolina.

Announcement has been made of a gift of $100,000 for the restoration of Tryon's Palace, colonial capitol of North Carolina, at New Bern, by Mrs. J. E. Latham of Greensboro. The State Board of Conservation and Development has voted to ask the next General Assembly for funds with which to purchase the necessary property.

A special commission appointed last year by Governor Broughton has recommended that the birthplace of Governor Zebulon B. Vance in Buncombe County be acquired and preserved as a state shrine. The recommendation will be presented to the 1945 General Assembly.

The governing board of the State Department of Archives and History met in the office of the secretary on August 25, and approved budgetary estimates calling for an increased appropriation for the 1945-1947 biennium and (with amendments) a draft of a revised organic act for the department, which has been prepared for introduction into the next session of the General Assembly.

The July issue of *Discipliana,* published at Culver-Stockton College, Canton, Missouri, by the Disciples of Christ Historical Society, contains "The Militant James Shannon," by Professor C. H. Hamlin of Atlantic Christian College.

The second and final instalment of "Life, Labor and Society in Boone County, Missouri, 1834-1852, as Revealed in the Correspondence of an Immigrant Slave Owning Family from North Carolina," edited by Lewis E. Atherton, appeared in the *Missouri Historical Review,* XXXVIII, 408-429 (July, 1944).

The American Association for State and Local History has published a new edition of *Historical Societies in the United States and Canada: A Handbook,* edited by Christopher Crittenden and Doris Godard, and printed in Raleigh. The latest

previous edition was published in 1936 by the former Conference of Historical Societies and was edited by the late Christopher B. Coleman. The new edition lists a total of 904 societies, as compared to only 583 in the previous edition.

Recent acquisitions for the Hall of History include a cap worn by a German-Africka korpsman, captured in the 1943 campaign and loaned by Mr. William Craven, Raleigh; bell of old Wake County Courthouse, cast by G. Hedderly in Philadelphia and inscribed Raleigh Courthouse, 1804, given by Capital City Council No. 1, Junior Order United American Mechanics, Raleigh; one shilling and one half-shilling note issued by the Japanese government in anticipation of their occupation of Australia, given by Mr. Harry T. Davis, Raleigh; photograph of miniature done by Carl Weindel in 1825 of William Hill, secretary of state for North Carolina (1811-59), given by Miss Adelaide V. Bain, Raleigh; collection of miscellaneous items left by the Japanese when they were driven out of Kiska and Attu, including boots, blanket, mess kit, films, medicines, vitamins, and sun glasses, given by Lt. Kinchen W. Ballentine, Jr., Erwin; photograph of the S. S. *Donald W. Bain,* Liberty ship launched at Brunswick, Georgia, sponsored by Mrs. J. Melville Broughton and the donor, daughter of Donald W. Bain, given by Miss Adelaide V. Bain, Raleigh; piece of silk camouflage-dyed in three shades of green, part of parachute used by American troops in the invasion of France, June 6, 1944, brought from Europe by Mr. G. L. Massingill of the Merchant Marine, and given by Mrs. Massingill, Raleigh.

The program for collecting North Carolina war records is continuing. During the summer months Miss Charlie Huss, collector of records for the State Department of Archives and History, addressed the Raeford Kiwanis Club, the State Federation of Women's Clubs, the Garden Clubs of North Carolina, the Hendersonville club women, the Forest City Kiwanis Club, and the State Council of the North Carolina Federation of Home Demonstration Clubs. Valuable materials of various types continue to be brought in.

Books received include Benjamin Rice Lacy, Jr., *Revivals in the Midst of the Years* (Richmond: John Knox Press. 1943); and *Ante-Bellum Kentucky* (Oxford, Ohio: The Mississippi Valley Press. 1943).

CONTRIBUTORS TO THIS ISSUE

Mr. Allen Jay Maxwell is director of the North Carolina Department of Tax Research, Raleigh, N. C.

Mr. William Oran Suiter is assistant director of the North Carolina Department of Tax Research, Raleigh, N. C.

Dr. Edgar Estes Folk is associate professor of English in Wake Forest College, Wake Forest, N. C.

Dr. William Edward Farrison is a professor of English in the North Carolina College for Negroes, Durham, N. C.

Dr. Adelaide Lisetta Fries is archivist of the Moravian Church in America, Southern Province, and is an ex officio member of the triennial Synod, the supreme governing body of the Southern Moravian Church. Her address is 224 Cherry Street, Winston-Salem, N. C.

CONTRIBUTORS TO THIS VOLUME

Miss Jane Zimmerman is an instructor of history in the Woman's College of the University of North Carolina, Greensboro, N. C.

Dr. Kenneth M. Stampp is an assistant professor of history in the University of Maryland, College Park, Md.

Dr. James A. Padgett's address is 9 Fourth Street, Southeast, Washington, D. C.

Mr. J. Herman Schauinger is an instructor in American history in the University of Idaho, Moscow, Idaho.

Dr. Henry T. Shanks is a professor of history in Birmingham-Southern College, Birmingham, Alabama.

Mr. Frank E. Vandiver is a student at the University of Texas, Austin, Texas.

Miss Mary Lindsay Thornton is in charge of the North Carolina Collection in the Library of the University of North Carolina, Chapel Hill, N. C.

Dr. Marguerite B. Hamer is an assistant professor of history in the University of Tennessee, Knoxville, Tenn.

Mr. Curtis C. Davis is a lieutenant in the air corps of the United States Army. He is stationed overseas. His permanent address is 5 Stratford Road, Baltimore, Md.

Mr. Allen Jay Maxwell is director of the North Carolina Department of Tax Research, Raleigh, N. C.

Mr. William Oran Suiter is assistant director of the North Carolina Department of Tax Research, Raleigh, N. C.

Dr. Edgar Estes Folk is associate professor of English in Wake Forest College, Wake Forest, N. C.

Dr. William Edward Farrison is a professor of English in the North Carolina College for Negroes, Durham, N. C.

Dr. Adelaide Lisetta Fries is archivist of the Moravian Church in America, Southern Province, and is an ex officio member of the triennial Synod, the supreme governing body of the Southern Moravian Church. Her address is 224 Cherry Street, Winston-Salem, N. C.

INDEX TO VOLUME XXI

1944

A

Abbott, Lyman, letter from, 206
Acker, Philip, keeps inn, 332
Ackland, William H., court decides trust fund left by, 94
Adams, Henderson, letter from, 242; starts Heroes of America, 127
Adams, W. J., Jr., assistant attorney general assigned to Department of Revenue, 286
Addresses, Letters, and Papers of Clyde Roark Hoey, Governor of North Carolina, 1937-1941, by David Leroy Corbitt, published, 262; reviewed, 380
Agricultural and Technical College, honors its former president, 91
Agricultural Clubs, address before, 43
Akers, Susan Grey, elected president, 90
Alexander, Hezekiah, letter to, quoted, 190
Alexander, Nathaniel, ship named in honor of, 88
Allen, Eleazer, on committee, 182
Allen, Oliver H., assistant attorney general assigned to Department of Revenue, 286
Allen, W. A., makes speech for Holden, 308
Allen, Young J., accompanied by wife and daughter, 171; *The Diary of a Voyage to China, 1859-1860*, reviewed, 171
Alspaugh, J. W., bank cashier, 49*n*; beaten by one vote, 315; letter from, 48, 50.
Alston, Joseph, ship named in honor of, 88
American Association for State and Local History, holds annual meeting, 91
"American Scholar and the World Today," address delivered at Wake Forest College, 261
Anderson, Katie F., serves many years with Department of Revenue, 292
Andrews, Mrs. C. L., serves many years with Department of Revenue, 292
Andrews, Matthew Page, *The Soul of a Nation: The Founding of Virginia and the Projection of New England*, reviewed, 168
"Animal Substances in Materia Medica: A Study in the Persistence of the Primitive," paper read, 176
Ante-Bellum Kentucky, book received, 390
Antes, Henry, his daughter sets out for Carolina, 251
Archaeological Society of North Carolina, holds annual meeting, 91, 92
Arrington, Mrs. Katherine Pendleton, gives "Presidential Greetings," 92
Ashe, Samuel, ship named in honor of, 88
Ashe, Samuel A'Court, writes about convention, 308
Ashe, Thomas Samuel, mentioned, 56
Asheville, mortality returns published, 28
Atherton, Lewis E., edits correspondence, 260; publishes article, 389
Augusta County court, declares against whiskey, 122
Austin, Moses, mentioned, 332
Autobiography of "The Countryman," book received, 178
Avery, C. M., chosen president, 303
Avery, Waightstill, ship named in honor of, 88
Avery, W. W., unpopular in the East, 300; withdraws from race, 306
Aycock, Charles B., chosen for Hall of Fame, 248

B

Bacon, Henry, ship named in honor of, 88
Badger, Edmund, his opinion of Gaston, 88
Badger, George E., ship named in honor of, 88
Badger, Richard C., mentioned, 236
Badham, J. C., casts ballots, 305
Bagby, Ellen M., *The Old Virginia Gentleman and Other Sketches by George W. Bagby*, reviewed, 252
Bagby, George William, birth and education, 252
Bagby, Willis, nominates Pool, 59
Bahnson, Henry T., tells of a visit to a jail, 24; reads paper, 22
Bain, Adelaide V., presents photograph, 390
Baker, Blake, fights over state printing, 197

Baker, Julian M., writes about adulteration of food, 21
Baldwin, J. G., mentioned, 253
Ballentine, Kinchen W., Jr., lends miscellaneous Japanese items, 390
Banner Elk Presbyterian Church, celebrates anniversary, 89
Barbara Frietschie, received, 94
Barker, Penelope, ship named in honor of, 88
Barker, Thomas, named on committee to revise laws, 183
Barry, Richard, *Mrs. Rutledge of South Carolina*, reviewed, 73
Barry, William T., ship named in honor of, 88
Bassett, John S., quoted, 109
Battle, H. B., analyses water, 20
Battle, James S., his slave indicted for murder, 108
Battle, Kemp Plummer, his opinion of Gaston, 117; letter to, 21; ship named in honor of, 88
Battle, Richard H., kind in language toward the North, 234
Battle, William H., praises Gaston's decisions, 117
Battle & Mordecai, letter from, 65
Bauman, Maurice, letter from, 60
Baxter, Richard, murdered, 108
Beard, Charles A., makes speech, 257; writes book, 175
Behind the Lines in the Southern Confederacy, by Charles W. Ramsdell, received, 178; reviewed, 382
Benjamin, Judah P., attends Yale, 75
Bettersworth, John K., *Confederate Mississippi: The People and Policies of a Cotton State in Wartime*, reviewed, 78
Bickett, Thomas Walter, appoints Maxwell on Corporation Commission, 290; ship named in honor of, 88
Binkly, Adam, asks for a religious service, 368
Binkly, Jacob, mentioned, 368; religious service held in home of, 369
Binkly, Johannes, arrives from Wachovia congregations, 369; moves to Cumberland settlement, 364
Biographical Sketches of Caesar Rodney (the Signer), Thomas Rodney, and Caesar A. Rodney, book received, 178
Birney, James G., quoted on slavery, 38
Blaine, James G., mentioned, 156
Blair, William A., exercises held in recognition of services to state, 258
Bledsoe, M. A., moves nomination be made unanimous, 307; urges withdrawal of amendment, 304
Blount, Thomas, handbill published derogatory to, 195; leads opposition, 197
Blow, W. J., an Ellis man, 305
Board of Health, committee to work for mandatory vaccination law, 14
Board of Trade, instructs Dobbs about laws, 185
Bocock, Nicholas F., recommends suspension of writ of habeas corpus, 314; summarizes purposes of society, 130; to investigate disloyal society, 128
Bond, Hugh L., presides at Ku Klux cases, 49*n*; telegram from, 49
Bonifacio, Jose, ship named in honor of, 88
Bostwick, J. A., makes contribution, 377
Bowman, D. A., letter from, 148
Boyd, Alex M., delegate to convention, 241
Boyd, James E., nominates Brown, 59
Boylan, William, called desperado, 198; fights over state printing, 197; publishes documents, 201; runs for state printer, 197
Boylan and Hodge, move printing business to Raleigh, 196
Bradley, Joseph P., mentioned, 152
Bragg, Braxton, letter to about disloyalty, 128
Bragg, Thomas M., arrayed against Holden, 297; governor from East, 297
Branch, John, proposed for Senate, 298; ship named in honor of, 88
Brandon, D. G., continues graduate studies, 388
Brandon, Edward Ewing, his book received, 262
Brevard, Ephraim, ship named in honor of, 88
Brief Description of The Province of Carolina on the Coasts of Floreda, by John Tate Lanning, book received, 262; reviewed, 378
Brink, E. B., letter from, 151
British West Florida, 1763-1783, reviewed, 86
Brogden, C. H., letter from, 145; nominee for lieutenant governor, 145
Brooks, Aubrey Lee, his book received, 262
Brooks, George Washington, friend of S. P. Chase, 237; letter from, 238, 246

Broughton, J. Melville, appoints Gill commissioner of revenue, 291; appoints Maxwell commissioner of revenue, 290; appoints special commission, 389; delivers address, 91; elected chairman, 257; makes address, 257; makes appointments, 89; presides over meeting, 92; proposes Department of Motor Vehicles, 275
Broughton, Mrs. J. Melville, christens Liberty ship, 258; presents her inaugural dress, 261; sponsors S. S. *Donald W. Bain*, 390
Brown, E. L., letter from, 148
Brown, Frank Clyde, resolutions of respect to, 92
Brown, Henry N., half of vote for county be cast for, 59; nominated, 59; sincere reformer, 58; statement by, to the voters of Orange, Person, and Caswell counties, 65
Brown, James T., employed in case, 98
Brown, Joseph A., ship named in honor of, 88
Bruce, James, urges exportation of slaves, 43
Brummitt, Dennis G., attorney general of North Carolina when change made, 286
Bruner, J. J., an astute observer, 312
Bruton, T. Wade, assistant attorney general assigned to Department of Revenue, 286
Bullen, Joseph, goes to Chicasaws, 336
Bullock, Mrs. Rosa W., presents "gay-nineties" clothes, 261
Buncombe, Edward, letter from, deposited in library, 259
Bundle of Troubles and Other Tarheel Tales, book received, 178
Burgwyn, Henry K., heads nominating committee, 303
Burke, Thomas, letter to, mentioned, 192
Burrington, George, receives instructions about copy of laws, 181
Burwell, William A., writes Secretary of War, 124
Bushall, W. J., letter from, 50
Butler, Benjamin Franklin, letter to, 46, 47, 48, 49, 50, 51, 52, 55, 56, 57, 60, 63, 65, 68, 69, 70
Butler, Edward, offers lodging in his home, 341
Bye, Arthur Edwin, restores paintings, 94; works on portraits belonging to Supreme Court, 389
Byers, David, engages Indian guide, 348; mentioned, 344, 345

C

Cain, William, appointed to Board of Health, 11
Caldwell, David, ship named in honor of, 88
Caldwell, Joseph, chosen for Hall of Fame, 248
Caldwell, Wallace E., reelected governor, 91
Calendar of Maryland State Papers, No. I, The Black Books, reviewed, 79
Calhoun, John C., attends Yale, 75; ship named in honor of, 88
Cameron, Simon, letter from, mentioned, 239
Camper, John, heads society, 129
Candler, W. G., letter from, 148
Candler, Warren A., draws on document, 172
Cape Fear Mercury, mentioned, 190
Cappon, Lester J., publishes article, 260; reviews *Calendar of Maryland, State Papers*, No. I, *The Black Books*, 79
"Capture of a Confederate Blockade Runner; Extracts from the Journal of a Confederate Naval Officer," document edited by Frank E. Vandiver, 136-138
Care of the Eyes and Ears in Children, published, 25
Carey, James, serves as interpreter, 341
Carey and Hart, letter to, 217
Carson, J. C., nominated, 59
Carter, Clarence Edwin, his book received, 178
Carter, D. M., mentioned, 236
Caswell, Richard, chosen for Hall of Fame, 248; ship named in honor of, 88; writes about public printer, 190
Cauthen, C. E., reviews *Mr. Rutledge of South Carolina*, 73
Cawthorn, Wm., letter from, 241
Central Methodist Church, celebrates anniversary, 258
Chaffin, Nora, teaches at Vanderbilt University, 388
Chandler, Zachariah, letters from, mentioned, 239
Charlotte, Democratic convention to be held in, 300; mortality returns of, published, 28
Chase, J. C., makes report on prison camps, 25
Chase, Solomon P., conducts classical school, 232; letter books and papers in Library of Congress, 232; letters

from, mentioned, 239; letter to, 233, 235, 236, 238
Cherokee, Moravian missions among, 72
Chicago Public Library, Thomas Hughes contributes to, 213
Chicasaw Indians, riding to Knoxville, 340
Child, Lydia M., letters from, mentioned, 239
Christian Sun, publishes centennial number, 259
Chute, Andrew, wishes job in collectors office, 46
City Smallpox Hospital, makes report, 3
Clark, James C., makes address, 89
Clark, Lewis Gaylord, mentioned, 222
Clark, Walter, chosen for Hall of Fame, 248
Clarke, Mary Patterson, *Parliamentary Privilege in the American Colonies*, reviewed, 165
Claudel, Calvin, reads paper, 92
Clay, Cassius M., challenges proslavery thinkers, 36
Clay, Clement, ship named in honor of, 89
Clingman, Thomas L., ship named in honor of, 88; wants to be Senator, 300
Clyde, Paul H., teaches at Stanford University, 388
Cobb, C. L., letter from, 148; member of Congress, 58
Coleman, Christopher Bush, dies, 387; edits handbook, 390
Coleman, Wm. M., letter from, 47; nominated for attorney general, 47*n*
Collection of the Militia Laws in Force in North Carolina, published, 201
Collie, Jim R., serves many years with Department of Revenue, 292
"Colonial Administration by United States Naval Officers," article published, 93
Commager, Henry Steele, his book received, 94
Commissioner of Insurance, collects license taxes on insurance companies, 269
Commissioner of Revenue, heads Department of Revenue, 266
Cone, Hutchinson I., ship named in honor of, 88
Confederate army, number of soldiers absent from, 135
Confederate Mississippi: The People and Policies of a Cotton State in Wartime, reviewed, 78
Connor, Henry Groves, Liberty ship named in honor of, 175
Connor, R. D. W., attends meeting, 91; his advice followed, 376; quoted, 1
Conrad, Earl, *Harriet Tubman*, received, 94; reviewed, 173
Constitution, amendment to, authorizes income tax, 270
Conrow, Wilford S., paints portrait, 175
Conway, Thomas W., letter from, 235
Cook, Fletcher, reads paper, 93
Cook, Olan V., attends library conference, 386
Corbitt, David Leroy, *Addresses, Letters, and Papers of Clyde Roark Hoey, Governor of North Carolina, 1937-1941*, reviewed, 380; edits volume, 262; takes part on program, 257
Corporation Commission, abolished, 282; chairman, member of Board of Equalization, 266; established, 268; has too many duties, 270; serves ex-officio as Tax Commission, 268
"Correspondence of Thomas Hughes concerning his Tennessee Rugby," letters edited by Marguerite B. Hamer, 203-214
Cotten, Sallie S., ship named in honor of, 88
Coulter, E. M., reviews *History of Wake Forest College*, 376
County Government Advisory Commission, created, 282
Courts, D. W., was not available, 300
Cowles, A. C., nominates Purnell, 59
Cramer, J. T., letter from, 140, 141, 142, 148, 152, 154, 155
Crane, Mrs. Thurston, letter from, 154
Craven, William, loans cap captured in war, 390
Creek Indians, Moravian missions among, 72
Crenshaw, Herbert, elected second vice-president, 387
"Creole Folktales," paper read, 92
Crittenden, Christopher, attends library conference, 386; attends meeting, 91; delivers addresses, 261; edits bulletins, 261; edits handbook, 389; elected secretary, 92; issues statement on salvaging paper, 177; makes address, 90; publishes article, 176; publishes newspaper articles, 176; reads

paper, 93; takes part on program, 257
Croker, John Wilson, mentioned, 220
Cropper, John, ship named in honor of, 88
Crown Collections of Photographs of American Maps, mentioned, 379

D

Dabney, Thomas Ewing, his book received, 262
Dabney, Virginius, delivers address, 92
Dana, Charles A., ship named in honor of, 89; visits Rugby, 212
Daniel, Joseph J., serves on bench, 97
Daniel, Ruth, teaches in summer school, 258
Daniel, William, mentioned, 234
Daniels, Josephus, writes about Holden, 311
Daniels, Melvin R., elected vice-chairman, 257
Dare, Virginia, birthday celebrated, 386; ship named in honor of, 88
Daughters of the American Revolution, hold annual convention, 257
Davidson, Philip, reviews *New Viewpoints in Georgia History*, 381
Davidson, W. F., delivers lecture, 92
Davidson, William L., ship named in honor of, 88
Davie, William R., chosen for Hall of Fame, 248; ship named in honor of, 88
Davis, Curtis Carroll, edits letters, "Poet, Painter, and Inventor: Some Letters by James Mathews Legare, 1823-1859," 215-231
Davis, David, his home mentioned, 331; mentioned, 375
Davis, George, makes speech, 52; ship named in honor of, 88
Davis, Harry T., presents Japanese money, 390
Davis, James, compiles and publishes laws, 185; conflict during his term of office, 187; elected public printer, 187, 188; granted right to sell documents, 184; his print shop destroyed, 186; holds office, 190; list of his publications, 186; named public printer, 183; neglects his duties, 188; publishes laws, 201; resigns, 191
Davis, Jefferson, Johnston aide to, 76; refuses to reinstate Floyd, 120
Davis, Thomas, elected public printer, 191; wants to move printing press to Halifax, 192
Dean, Horace, carries idea of Heroes of America to southeastern counties, 127
Deartt, D., publishes first issue of paper, 259
DeBow, J. D. B., contends South has social unity, 36
Defrees, Jno. D., mentioned, 241
Democratic convention, stories and legends about, 303
Democratic masses, favor Holden, 310
Democratic party, supreme in state, 295
Democratic Pioneer, proposes Holden for governor, 296
Democratic State Committee, meets in Raleigh, 300
Department of Agriculture, functions transferred to Department of Revenue, 273
Department of Revenue, assesses certain property for taxation, 282; changes with tax structure, 266; does most of the work, 283; first created in American states, 266; linked with revenue system, 265; location and office space of, 286; made tax collecting agency, 275; Motor Vehicle Bureau transferred to, 272; number of employees in, 271; organized, 271; recommended by Cameron Morrison, 271; table showing number of employees and cost of operation, and amount of revenue collected, 277; units listed, 276
Department of Tax Research, accounting division of the Department of Revenue, 276
DeRosset, John, edits *North Carolina Medical Journal*, 4
"Development of War Records Projects in the States, 1941-1943," article published, 261
Devereux, Thomas, arranges long term loan, 104; asserts Gaston not interested in judgeship, 100; urges Gaston to become judge, 102
Dew, Spencer, makes confession, 189
Dew, Thomas R., formulates his defense of the slave system, 35; his proslavery argument, 44
Diary of a Voyage to China, 1859-1860, reviewed, 171
Dickson, J. A., controlls proxies, 305
Dickson, James H., dies, 2
"Disciples of Christ and the War between the States," article published, 176

Disciples of Christ, observes anniversary, 175
"Disloyalty to the Confederacy in Southwestern Virginia, 1861-1865," article by Henry T. Shanks, 118-135
Dismal Swamp Canal, to be sold, 57
Division of Highway Safety, made separate agency, 275; organized, 273
Dobbin, James C., chosen for Hall of Fame, 248
Dobbs, Arthur, receives instructions about laws, 185; ship named in in honor of, 88
Dockery, O. H., letter from, 155
"Dr. Frank Clyde Brown and His Collection of Folklore," paper read, 92
Doddridge, Philip, ship named in honor of, 88
Dodds, Harold W., delivers address, 90
Doerschuk, H. M., reads paper, 93
Doll, Daniel, mentioned, 372
Doll, Eugene E., reviews *The Road to Salem*, 250
Donald W. Bain, Liberty ship christened, 258
Dorman, J. B., reports on conscripts, 125; writes about deserters, 125
Doughton, R. A., appointed Commissioner of Revenue, 289
Douglas, Jesse S., contributes paper, 85
Douglas, Stephen A., letters from, mentioned, 239
Down Home, received, 94; reviewed, 248
Drake, Eugene B., letter from, 47
Drayton, John, ship named in honor of, 88
Dudley, Edward B., ship named in honor of, 88
Dudley, James B., his memory honored, 91
Duffy, Charles, Jr., named on committee, 7
Duke, James B., chosen for Hall of Fame, 248
Duke University, number of volumes in library, 94; library, has American sheet music collection, 259
Duncan, A. C., elected secretary, 387
Dunnagan, Macon R., announces Mayflower Cup award, 92
Duplin County Agricultural Society, Holden speaks before, 299
Durant, George, ship named in honor of, 89
Duty and Office of Justices of Peace, published, 201
Duyckincks, Evert, letter to, 221, 222, 223

E

"Early Schools of Oxford and Cambridge," article published, 93
Eaton, Ben, Jr., assistant Commissioner of Revenue, 292
Echols, John, his reports on Heroes of America, 128
Edgar Gardner Murphy, reviewed, 170
Egerton, Graham, student at Rugby, 212
Edgerton, Philip, his son at Rugby, 212
Ehringhaus, J. C. B., appoints Maxwell Commissioner of Revenue, 290; his addresses not published, 380
Elliott, Marshall, ship named in honor of, 88
Ellis, J. J., letter from, 56
Ellis, John W., an able statesman, 312; begins fighting militant slaveholders, 318; candidate for governor, 294; his nomination causes vacancy on bench, 302; nominated, 307; number of votes cast for, 309; unpopular in the mountains, 300
Ellis, Richard, sells copies of laws, 189
Ely, Richard T., visits Rugby, 212
English, Thomas H., edits book, 178
Erwin, Clyde A., made address, 89
Evarts, William Maxwell, mentioned, 155
Ex-Vaccination Advice from the North Carolina Board of Health of the Necessity of Vaccination, published, 25

F

Farish, Hunter Dickinson, *Journal and Letters of Philip Vickers Fithian, 1773-1774: A Plantation Tutor of the Old Dominion*, reviewed, 77
Farrison, William Edward, article, "The Negro Population of Guilford County, North Carolina, before the Civil War," 319-329
Fayetteville, mortality returns published, 28
Fields, Dick, acts as interpreter, 347; doubtful about introduction of Christian religion, 348

"Finney Family," presented to State Department of Archives and History, 261
First World War, accentuates higher cost problems, 270
Fischer, Casper, mentioned, 368
Fischer, Friedrich, carries provisions, 372
Flagg, John A., supports Carson, 59
Fleming, Mrs. A. L., serves many years with Department of Revenue, 292
Fleming, Walter L., lecture series published, 382
Fletcher, Mrs. Inglis, elected vice-president, 92; makes address, 90, 91; presents portrait, 90
Floyd, James B., does not cooperate with Confederates, 120; serves as governor, congressman, and cabinet officer, 119
Floyd, Wm. F., letter from, 209
Floyd County, Va., petition against impressment in, 122
Folk, Edgar Estes, article, "W. W. Holden and the Election of 1858," 294-318
Foote, George A., named on committee, 5, 7
Ford, Worthington, his article on Carolina mentioned, 379
"Formative Years of the North Carolina Board of Health, 1877-1893," article by Jane Zimmerman, 1-34
Fort Donelson, Floyd dismissed because of conduct at, 119
Fort Fisher, bombarded, 137
Fossan, Emil, *Calendar of Maryland State Papers, No. I, The Black Books*, reviewed, 79
Fountain, S., letter from, 51
Fowle, Daniel G., makes address of welcome, 23
Franchise Tax Unit, head of, secretary to Board of Assessments, 283
Franklin, John Hope, collects war records of Negroes, 94; reviews *Edgar Gardner Murphy*, 170; reviews *Harriet Tubman*, 173; reviews *Modern Negro Art*, 172; teaches at Bennett College, 388
Freeman, Douglas Southall, writes introduction, 252
Fremont, John Charles, school-mate, 216
Friends, emancipate slaves, 322; help free Negroes, 321; many never owned slaves, 321
Fries, Adelaide Lisetta, edits document, "Report of the Brethren Abraham Steiner and Friedrich Christian Von Schweinitz of their Journey to the Cherokee Nation and in the Cumberland Settlements in the State of Tennessee from 28th October to 28th December, 1779," 330-375; *Records of the Moravians in North Carolina*, reviewed, 72; *The Road to Salem*, received, 178; reviewed, 250
"Function of the Historical Novel," paper read before annual meeting, 91

G

Gadsden, Christopher, ship named in honor of, 88
Gale, Christopher, ship named in honor of, 88
Gales, Joseph, makes a showing, 197; moves to Raleigh, 196; reprints court reports, 201; reprints laws, 201
Gales, Seaton, kind in language toward the North, 234
Gales and Seaton, elected state printers, 199
Galvin, Hoyt R., retires as president, 90
Gardner, O. Max, appoints Maxwell Commisioner of Revenue, 290
Garfield, James Abram, letters edited, 139; letter to, 140, 141, 142, 144, 145, 146, 147, 148, 149, 150, 151, 152, 154, 155, 157; short sketch of, 140*n*; telegram to, 155
Garrison, Curtis Wiswell, *The United States, 1865-1900: A Survey of Current Literature with Abstracts of Unpublished Dissertations*, reviewed, 167
Gaston, Hannah, informed of Gaston's opinion, 101
Gaston, William, delivers opinion, 109; his opinions, 111, 112, 113, 114, 115; his personal difficulties, 102; his slaves baptized, 107; his years on the bench, 97; nominated for judgeship, 100; practices law, 97; refuses to be considered for judgeship, 100; reports supreme court bill, 98; serves in legislature, 98; ship named in honor of, 88
Gates County, political meeting held in, 295
Gattis, W. F., serves many years with the Department of Revenue, 292
Gayle, Richard H., his journal published, 136

General Assembly, adds new tax collecting duties, 274; appropriates money for revising laws, 183; enacts law prohibiting migration of free Negroes, 324; prohibits importation of slaves, 328
General Fund, pays for Revenue Division, 273
George Fitzhugh: Propagandist of the Old South, received, 94; reviewed, 255
German settlers, not in isolated communities, 322
Gill, Edwin M., appointed Commissioner of Paroles, 291; appointed Commisioner of Revenue, 291; serves as private secretary to Governor Gardner, 291
Godard, Doris, edits handbook, 389
Goerch, Carl, *Down Home*, received, 94; reviewed, 248
Goldsboro, Matthew T., ship named in honor of, 88
Goodloe, Daniel R., challenges proslavery thinkers, 36; delegate to convention, 241; letter from, 238; quoted on slave capital, 42, 44
Goodrich, Frances, makes speech at Founders' Day, 90
Gorgas, Josiah, mentioned, 136
Governor's Mansion, oil paintings belonging to, restored, 94
Graham, Frank Porter, makes address, 90
Graham, William A., chosen for Hall of Fame, 248; Gaston writes to, 105; mentioned, 236; ship named in honor of, 88
Graves, D. H., letter from, 49
Greeley, Horace, letters from, mentioned, 239; mentioned, 311
Green, Fletcher M., teaches at Harvard University, 387
Green, Isaac, gives travellers breakfast, 332
Green, Nathanael, ship named in honor of, 88
Green, Paul, delivers address, 92
Greensboro Daily News, carries article on place names in North Carolina, 259
Greensboro Historical Museum, collections of articles on Chinese life loaned to, 260
Greensboro Patriot, follows Democratic nomination contest, 299
Gregory, Lee O., assistant attorney general assigned to Department of Revenue, 286
Griers Presbyterian Church, celebrates anniversary, 89
Griffin, Clarence, elected president, 387; presents captured flag, 261
Grimes, J. W., letters from mentioned, 239
Grisson, Eugene, joins committee, 6
Griswold, Rufus Wilmot, letter to, 217
Guide to Shipmaster Visiting the Cape Fear River, published, 25
Guilford County, antislavery activities decrease in, 327; antislavery activities in, 322; antislavery sentiment in, 327; erection of, 320; free Negroes migrate to, 324; growth of slave population in, 324; Negroes settle in, 319; Negro slaves imported into, 328; no Negroes among first settlers of, 319; settlement of, 320
Gum Springs Baptist Church, celebrates anniversary, 257
Guthrie, H. B., supports Pool, 59

H

Hale, Edward J., his opinion of Holden, 302
Hales, William, makes confession, 189
Hall, Allmand, elected public printer, 193, 196
Hall, Enoch, named on committee to revise laws, 183
Hall, John, justice of Supreme Court, 98; resigns judgeship, 100
Hall of Flags, North Carolina flag presented to, 175
Hall of History, oil paintings belonging to, restored, 94; recent accessions to, 261, 390
Hall's Wilmington Gazette, published by Allmand Hall, 196
Halstead, Jno. W., letter from, 56
Hamer, Marguerite B., edits letters, "The Correpondence of Thomas Hughes concerning his Tennessee Rugby," 203-214
Hamilton, J. G. deRoulhac, publishes article in *Charlotte Observer*, 307
Hamilton, Paul, ship named in honor of, 88
Hamlin, C. H., publishes article, 176, 258, 389
Hammond, George P., teaches in summer school, 258
Hammond, James Henry, letter to, 229, 230; one of the governors in the famous saying, 248
Hampton, E. P., supports Pool, 59
Hanging Maw, supports family, 345

Hardy, W. M., holds proxies, 305
Harnett, Cornelius, ship named in honor of, 88
Harriet Tubman, received, 94; reviewed, 173
Harrington, J. M. L., publishes newspaper, 177
Harris, C. L., seconds nomination, 59
Harris, Charles, describes Republication candidate, 197
Harris, Cicero W., letter from, 239
Harris, J. C. L., letter from, 244
Harris, James H., letter from, 235; president of league, 234
Harrison, Jesse B., refutes Dew's pro-slavery argument, 43
Harvey, John, leads singing, 369; ship named in honor of, 88
Harwood, John H., assistant attorney general assigned to Department of Revenue, 286
Hawkins, Benjamin, stays with Creek Indians, 339; suggests another printer, 192
Hawkins, William, ship named in honor of, 88
Hayes Memorial Library, interested in history of United States, 167
Hayne, Paul Hamilton, ship named in honor of, 88
Haywood, Edmund Burke, mentioned, 236
Haywood, John, publishes volume on justices of the peace, 201
Heckewalder, John, mentioned, 343
Hedderly, G., casts courthouse bell, 390
Helper, H. H., edits paper, 141
Helper, Hinton R., challenges pro-slavery thinkers, 36
Henderson, Archibald, quoted, 2
Henderson, Leonard, dies, 101; justice of supreme court, 98
Henderson, Thomas, Jr., candidate for public printer, 199; nominated for state printer, 200
Henderson, W. F., letter from, 242
Hendersonville, refugees from Florida, 32
Hendricks, W. C., his book received, 178
Henley, David, agent of the War Department, 337
Herbert, Hilary A., ship named in honor of, 88
Herndon, William, letters from, mentioned, 239
Heroes of America, become active against Confederate forces, 126; carried to Virginia, 127
Heth, Henry, writes about efforts to prevent men joining army, 126
Hewes, Joseph, ship named in honor of, 88
Hibben, John Grier, ship named in honor of, 88
Hicks, Charles, baptized by Moravians, 348*n*; serves as interpreter, 348
Higginson, Thomas W., quoted, 174
High Point, cotton set on fire at, 48
Highway and Public Works Commission, vehicle, licenses, and gasoline tax transmitted to, 273
Highway Patrol, materially increased, 273; transferred, 271
Highway Safety Division, new duties added to, 275
Hill, Daniel H., ship named in honor of, 88
Hill, William, photograph of, given to Hall of History, 390
Hillsboro Convention, debates to be printed, 194
Hines, Nell, takes part on program, 257
Hines, Peter E., named on committee, 7
Historical Societies in the United States and Canada: A Handbook, published, 389
"History as a Living Force," article published, 176
History of Wake Forest College, by George Washington Paschal, volumes II and III, received 178; reviewed, 376
Hoar, George Frisbie, mentioned, 63
Hoback, A. J., denies Heroes of America treasonable society, 127
Hobson, Richmond P., ship named in honor of, 89
Hodge, Abraham, birth of, 193; opposed by Federalists, 196; paid for publications, 194; publishes volume of superior court cases, 201; serves as public printer, 193; soliciting subscribers for copies of laws, 195; withdraws from firm, 197; years of service, 192
Hodge and Boylan, move printing press to Raleigh, 196
Hoey, Clyde R., appoints Maxwell Commissioner of Revenue, 290
Hoge, Daniel H., converses on society, 129
Hoke, Robert F., ship named in honor of, 88
Hoke, W. J., asks name to be struck from roll, 304
Holden, William W., accepts the results calmly, 316; becomes

ambitious, 296; birth and training, 294; candidate for governor, 294; described as statesman and scholar, 298; does not want public office, 296; his power as a political journalist, 295; holds semi-public offices, 297; makes categorical denial, 314; mentioned, 127; never parades private affairs, 298; parents of, 294*n*; quarrels with Ellis, 308; resigns from Literary Board, 313; tricked out of nomination, 309; triumphs over Helper, 141; whispering campaign begun against, 299
Holmes, Oliver W., contributes paper, 85
Holt, Thomas Michael, urges consideration of health laws, 15
Hooper, Johnson J., mentioned, 253
Hooper, Sam, mentioned, 144
Hooper, William, praises Gaston, 105; ship named in honor of, 88
Hopkinson, Joseph, gets alarmed over rumor, 106; his opinion of Gaston, 99
Houser, Daniel, mentioned, 371
Houston, David F., ship named in honor of, 88
Houston, W. J., makes motion to cast votes, 304; leads Holden forces, 305; promises reward for faithful service, 313
Howe, Julia Ward, letter from, 205
Howe, Robert, ship named in honor of, 88
Hudnutt, J. O., letter from, 241
Hudson, A. P., reviews *The Old Virginia Gentleman and Other Sketches* by George W. Bagby, 252
Hueston, Samuel, mentioned, 225
Hughes, Hastings, letter to, 208, 210, 211
Hughes, Margaret, mentioned, 208*n*
Hughes, Thomas, letter from, 208, 210, 211, 214; letter to, 204, 205, 206, 207, 209, 214
Hulbert, Archer B., his book mentioned, 379
Hulbert, W. H., observes slavery exhaust soils, 37
Hull, Cordell, home of, 203
Hunt, H. C., wants the position of marshal, 154
Huntington, Collis P., ship named in in honor of, 88
Huss, Charlie, attends meeting, 91; conducts meetings, 94; delivers series of addresses, 260; makes speeches, 390; reads paper, 91; visits counties in war work, 260

I

Impeachment of Andrew Johnson, mentioned, 142
Impending Crisis, mentioned, 40
Intangibles Tax Law, passed by legislature, 274
Inter-American Affairs, conference held on, at Chapel Hill, 386
Inter-American Institute, sponsors conference, 386
International Congress of Public Health, North Carolina Board of Health representatives attend, 33
"Introduction to the Study of Medieval Biography," article published, 176
Iredell, James, appointed commissioner to revise the laws, 194; chosen for Hall of Fame, 248; ship named in honor of, 88; to print convention debates, 194

J

James, Mrs. W. H., letter from, 56
"James Shannon," article published, 258
Jarvis, Thomas J., ship named in honor of, 88
Jefferson and the Press, by Frank L. Mott, received, 94; reviewed, 384
Jenkins, Lewis, letter from, 68
Jenkins, William S., his book mentioned, 256
"John M. Daniels' Latch-Key," famous work, 253
John Penn, sunk off Guadalcanal, 89
Johnson, Cecil, *British West Florida, 1763-1783*, reviewed, 86; reviews *Confederate Mississippi: The People and Policies of a Cotton State in Wartime*, 78
Johnson, Guion Griffis, teaches in summer school, 258
Johnson, Guy B., becomes executive director, 176; makes address, 91; resigns, 176
Johnson, Marmaduke, mentioned, 234
Johnston, Albert Sidney, father of William Preston Johnston, 75
Johnston, Frontis, elected vice-president, 92
Johnston, Gabriel, calls attention to legislature, 182; has laws printed, 182; urges assembly to pass printing law, 182; volume dedicated to, 184

Johnston, John W., reports on activities of society, 129
Johnston, Joseph E., mentioned, 129
Johnston, Samuel, knows the constitution, 105; mortified over Hall's victory, 196
Johnston, William, protests reduction of slavery, 199
Johnston, William Preston, birth of, 75
Jones, Calvin, establishes paper, 200
Jones, J. W., comments on bulletin, 26
Jones, Willie, ship named in honor of, 88
Journal and Letters of Philip Vickers Fithian, 1773-1774: A Plantation Tutor of the Old Dominion, reviewed, 77
Judah P. Benjamin: Confederate Statesman, reviewed, 81

K

Kalberlahn, Catharina, sees beginning of Moravian settlement, 251
Kapp, Freidrich, makes spinning wheels, 370; wishes minister in community, 368
Keener, Rod, mentioned, 374
Keith, Alice Barnwell, her book published, 259
Kelley, John O., letter from, 57, 69
Kellogg, Chas. D., letter from, 206
Kent, Chancellor, his opinion asked, 106; his opinion of Gaston, 99
Kentucky, land values in, 38
"Kentucky Folksongs," paper read, 92
Keogh, Thos. B., expresses his opinion of Hayes, 157; furnishes letters and endorsements, 148
Kephart, William Perry, destroyer named for, 175
Kerr, Daniel Wilson, dies, 259; founds paper, 259
Kerr, John, writes platform, 303
Key, David McKendree, mentioned, 152
Kiffin Rockwell Post, American Legion, plans memorial, 258
King, Clarence, reports on geology, 240
King, Preston, letters from, mentioned, 239
Kinney, George, letter from, 242
Kirk, G. W., his bushwhackers drive off cattle, 132
Kitchin, T. D., his administration of Wake Forest College, 377
Klein, Jacob, mentioned, 375
Ku Klux Klan, organization of, mentioned, 318

L

Lacy, Benjamin Rice., Jr., his book received, 390
Lacy, Dan, receives promotion, 387
Lacy, F. G., company commander, 55
Lamb, Luke, assistant commissioner of revenue, 292
Lander, William, nominates John W. Ellis, 307
Langston, John Mercer, listed as officer, 235
Lanning, John Tate, *A Brief Description of the Province of Carolina*, received, 262; reviewed, 378; reviews *The Sword Was Their Passport. A History of American Filibustering in the Mexican Revolution*, 83; teaches at the University of Utah, 388; writes editorial notes, 379
Laprade, W. T., attends library conference, 386
Latham, Mrs. J. E., makes gift for restoration of Tryon's Palace, 389
Lawson, John, ship named in honor of, 88
Leach, James Madison, mentioned, 62, 236
Leak, Walter F., announces for governor, 301
Leavitt, Sturgis E., attends library conference, 386
LeConte, Joseph, ship named in honor of, 88
Ledoux, Albert P., appointed to Board of Health, 11; conducts chemical analysis of water, 20; works out details, 12.
Lee, Timothy F., supports Purnell, 59
Lee County, soldier desertions in, 130
Lefler, Hugh T., reviews *Down Home*, 248; reviews *Parliamentary Privilege in the American Colonies*, 165
Legaré, Frances Doughty, mentioned, 216
Legaré, Hugh Swinton, mentioned, 216
Legaré, James Mathewes, his reputation as a poet, 215; letter from, 217, 218, 221, 222, 223, 224, 226, 228, 229, 230
Legaré, John D., Huguenot ancestry, 215
Legaré, Joseph John, mentioned, 216

Leroy, H. J., to investigate disloyal society, 128
Lewis, A. M., praises Holden, 301; tries to prevent trouble, 304
Lewis, H. W., tells experiences in vaccinating people, 30
Lewis, McDaniel, does not attend meeting, 93
Lewis, Richard H., his work praised, 1; praises paper on pure water, 23
Lewis, Thomas, Cherokee Indian agent, 339; letter of recommendation to, 340
Liberty ship, named for R. J. Reynolds, 387
Library of Congress, Garfield letters in, 139; letters of Solomon P. Chase in, 232; papers of Benjamin Franklin Wade in, 247; Trumbull letters in, 239
"Life, Labor and Society in Boone County, Missouri, 1834-1852, as Revealed in the Correspondence of an Immigrant Slave Owning Family from North Carolina," article published, 260, 389
Lillington, Alexander, ship named in honor of, 88
Lincoln, Abraham, elected President, 66
Little Turkey, head chief of the Cherokees, mentioned, 343
Local Government Commission, created, 282
Long, P. A., letter from, 242
Longstreet, A. B., mentioned, 253
Loring, William, embarrassed at the execution of the law, 126
"Lost Colony," plans to reproduce, 257; to be revived, 386
L'Ouverture, Toussaint, promotes insurrections, 328
Lucas and Boylan, publishes *The Minerva*, 200
Lusk, V. S., letter from, 147; nominated United States district attorney, 147*n*
Lycan, Gilbert T., promoted at Queens College, 258
Lyon, Chatham C., ship named in honor of, 89

M

McAden, Hugh, organizes church, 89
McCain, William D., contributes paper, 85
McCloy, S. T., teaches at University of Kentucky, 388
McConnell, R. C., serves in the armed forces, 388
McCulloh, Henry Eustace, proposes another public printer, 187
Macdonald, Flora, ship named in honor of, 88
McGill, Thomas, converses on society, 129
McIver, Charles D., chosen for Hall of Fame, 248; ship named in honor of, 88
McKay, James I., ship named in honor of, 89
McKay, W. McL., thinks it best to offend one side, 305
MacKinney, Loren C., publishes article, 176
Maclaine, Archibald, withdraws his subscription, 195
McMurtrie, Douglas C., named editor-in-chief, 94
McNeal, Ethel Ferrell, serves many years with Department of Revenue, 292
McNeill, J. W., makes presidential address, 17
McPherson, Edward, letter to, 244, 245, 246
McRae, Duncan K., enters the field for governor, 301; opposition to, 313
Macon, Nathaniel, chosen for Hall of Fame, 248; ship named in honor of, 88
Maffitt, John N., ship named in honor of, 89
Majority Rule and Minority Rights, received, 94
Manual of the Laws of North Carolina, published, 202
Marion, Francis, ship named in honor of, 88
Marshall, Frederic William, mentioned, 330
Marshall, Humphrey, writes President Davis, 123
Marshall, John, consulted on constitution, 103
Martin, Alexander, ship named in honor of, 88
Martin, François Xavier, prints laws, 195; promotes legal publications, 200; wishes to print statutes of Great Britain, 195
Martin, Josiah, volume dedicated to, 186
Maryland, slavery being driven out, 39
Massingill, Mrs. G. L., gives camouflaged piece of silk of parachute, 390
Mathews, Jos., letter from, 211

Mauldin, Mrs. Oscar Kern, gives typescript volume, 261
Maw, Grandmother, farm belongs to, 346
Maxwell, Allen Jay, appointed Commissioner of Revenue, 289; article, "The North Carolina Department of Revenue," 265-293; begins services with state, 290; resigns, 289
Meade, Elizabeth, *Calendar of Maryland State Papers, No. I, The Black Books*, reviewed, 79
Meade, Robert Douthat, *Judah P. Benjamin: Confederate Statesman*, reviewed, 81; reviews *William Preston Johnston*, 75
Medical Society of North Carolina, increases effort for public health work, 5
Medill, Joseph, letters from mentioned, 239
Mercer, Charles F., sends pamphlet on Colonization Society, 108
Merrick, John, ship named in honor of, 89
Merriman, Augustus S., ship named in honor of, 89
Middleton, Henry, ship named in honor of, 88
"Militant James Shannon," article published, 389
Miller, Andrew, his plantation mentioned, 342; letter from, 145
Mint Museum of Art, portrait presented, 175
Mitchell, Elisha, ship named in honor of, 88
Mitchell, Hugh B., makes talk, 93
Mitchell, John P., ship named in honor of, 88
Modern Negro Art, received, 94; reviewed, 172
Monck, George, portrait unveiled, 90
Monroe, Hugh, participates in shooting-match, 98
Montgomery, C. C., appointed instructor, 388
Montgomery, W. A., presents reminiscences, 261
Montgomery County, petition against impressment in, 122
Moody, Robert E., reviews *A Brief Description of the Province of Carolina*, 378; reviews *The Soul of a Nation: The Founding of Virginia and the Projection of New England*, 168
Mook, Maurice A., publishes article, 176
Mooney, John, letter from, 55
Moore, Alfred, ship named in honor of, 88
Moore, Bartholomew F., defends prisoner, 109; mentioned, 236
Moore, James, ship named in honor of, 88
Moore, Roger, on committee, 182; ship named in honor of, 88
Moravian Church, sends group to evangelize the Indians, 330
Mordecai, Jacob, favors delegates, 304
Morehead, John Motley, chosen for Hall of Fame, 248; one of the governors in the famous saying, 248; ship named in honor of, 88
Morgan, Daniel, ship named in honor of, 88
Morgan, J. Worth, elected treasurer, 387
Morgan, Thomas R., home still stands, 216
Morris, Richard B., contributes paper, 85
Morrison, B. P., warns the people, 124
Morrison, Cameron, appoints A. D. Watts Commissioner of Revenue, 289; appoints R. A. Doughton, 289; recommends Department of Revenue, 271; recommends income tax law, 271
Moseley, Edward, named on committee to revise laws, 183; on committee, 182
Moseley, William D., ship named in honor of, 88
Motor Vehicle Bureau, forms two divisions, 273; made separate agency, 275; organized separately, 272; transferred, 271, 272
Mott, Frank L., his book received, 94; *Jefferson and the Press*, reviewed, 384
Moultrie, William, ship named in honor of, 88
Mountain Orphanage, celebrates anniversary, 175
Mount Vernon Baptist Church, celebrates anniversary, 257
Murphey, Archibald D., chosen for Hall of Fame, 248; interested in judgeship, 100
Murphy, Maud King, *Edgar Gardner Murphy*, reviewed, 170

N

Nash, Abner, letter to, 191; ship named in honor of, 88
Nash, Francis, ship named in honor of, 88

Nashville, Tennessee, description of, 367
National Equal Rights League, works for advancement of Negroes, 234*n*
Nat Turner Insurrection, mentioned, 43
Navy Day, celebrated with parade, 91
Neely, Mary Atwater, letter from, 146
"Negro-Fever," rises higher and higher, 328
Negro History Week, celebration held, 386
Negro population, growth checked, 323
"Negro Population of Guilford County, North Carolina, before the Civil War," article by William Edward Farrison, 319-329
Negro population of Guilford County, compared with white population, 321
Negro slaves, disposed of, in deep South, 327
Nesbitt, A. M., offers an amendment, 304
Newcomb, Mrs. Josephine Louise, gives large endowment, 76
"Newly Discovered Algonkian Tribe of Carolina," article published, 176
New Orleans, Liberty ship named for Henry Groves Connor at, 175
New Viewpoints in Georgia History, book received, 178; reviewed, 381
Newsome, A. R., reviews *The Problem of Federal Field Office Records*, 84
Nicholay, John G., letters from mentioned, 239
Noble, Marcus C. S., Assistant Commissioner of Revenue, 292
No Day of Triumph, adjudged the best book, 92
North Carolina, deserters return to, 124; establishment of printing press in, 181; flag presented to Hall of Flags, 175; General Assembly expels member in, 166; Hall of Fame, mentioned, 248; invaded by army who left disease, 2; people become interested in board of health, 2; political campaign in, 294; public hygiene makes progress in, 30; Quakers, register discontent over slavery, 36; slave labor supply in, 320; state government relies on county officials for administration of state taxes, 267; war records, program of collecting continues, 390; tax administration decentralized in, 269
"North Carolina Bibliography, 1942-1943," compiled by Mary Lindsay Thornton, 158-164
North Carolina Board of Health, duties and objectives, 6; functions of, 10; holds reorganization meeting, 11; officers of the Board as provided by law, 10
North Carolina Council for Social Studies, holds conference, 386
North Carolina Democrats, face hazards, 295
"North Carolina Department of Revenue," article by Allen Jay Maxwell, 265-293
North Carolina Division, Children of the Confederacy, holds annual convention, 386
North Carolina Division, Daughters of Colonial Wars, hold joint meeting, 257
North Carolina Division, Daughters of 1812, hold joint meeting, 257
North Carolina Division, Daughters of the American Revolution, hold joint meeting, 257
North Carolina Division, National Society of the Daughters of the American Colonists, holds meeting, 90
North Carolina Division, United Daughters of the Confederacy, holds annual convention, 90
North Carolina Folk-Lore Society, holds annual meeting, 91, 92
North Carolina Gazette, mentioned, 190
North Carolina Journal, mentioned, 195; published in Halifax, 198
North Carolina Library Association, holds biennial convention, 90
North-Carolina Magazine, mentioned, 188
North Carolina "manuscript newspaper," myth exploded, 177
North Carolina Medical Journal, makes statement of health appreciation, 2
North Carolina Medical Society, changes plan of bill in legislature, 9; favors change in health bill, 9; members began to realize need for health protection, 2; number of members in, 8
"North Carolina Progress," address delivered, 92
North Carolina Shipbuilding Company, delivers Liberty ships, 88; makes gift, 175

North Carolina Society for the Preservation of Antiquities, holds annual meeting, 93
North Carolina Society of County Historians, holds meeting, 257
North Carolina Society of the Cincinnati, deposits Edward Buncombe letter, 259
North Carolina Standard, official paper of the Democratic party, 294
North Carolina State Art Society, holds annual meeting, 92
North, land values in, 38

O

Oaksmith, Appleton, in General Assembly, 52; letter from, 52
Office and Authority of a Justice of Peace, soliciting subscriptions to, 188
O'Hagan, Charles J., elected to Board of Health, 11; expresses opposition, 4
Ohio, land values in, 38
Old Virginia Gentleman and Other Sketches by George W. Bagby, reviewed, 252
One Hundred Great Years: The Story of the Times-Picayune from its Founding to 1940, received, 262
Orange County, population of, 320
Osborne, James W., seconds resolutions, 303
Otey, J. H., writes on desertion, 134
Overman, Lee S., ship named in honor of, 88
Owen, John, ship named in honor of, 88
Owen, Robert D., ship named in honor of, 88
Owen, Thomas M., furnishes letters and endorsements, 148; letter from, 157; ship named in honor of, 89

P

Padgett, James A., edits "Reconstruction Letters from North Carolina," 46-71, 139-157, 232-247
Page, Thomas Nelson, writes preface, 252
Page, Walter Hines, chosen for Hall of Fame, 248; ship named in honor of, 88
Palmer, John G., letters from mentioned, 239
Pan-American Medical Congress, North Carolina Board of Health representatives attend, 33
Parker, Harold T., publishes Three Napoleonic Battles, 388; serves with Army Air Corps, 388
Parker, Haywood, appointed on commission, 89
Parks, William, Davis learns his trade under, 183
Parliamentary Privilege in the American Colonies, reviewed, 165
Paschal, George Washington, *History of Wake Forest College*, received, 178; reviewed, 376
Patrick County, petition against impressment in, 122
Patriotic Order of Sons in America, holds biennial convention, 89
Payne, R. L., on committee, 5; elected to Board of Health, 11
Pearson, Richmond Mumford, mentioned, 147
Pender, William D., ship named in honor of, 88
Penn, John, ship named in honor of, 88
Pennsylvania Historical Association, address made before, 90
Permanent revenue act, adopted by legislature, 274
Perry, P. W., letter from, 46
Person, S. J., being groomed against Holden, 299
Pettigrew, James J., ship named in honor of, 88
Pfaff, Eugene E., elected executive secretary of Southern Council on International Relations, 388
Pierson, W. W., attends library conference, 386
Pilgrimage of Liberty: A Contemporary Account of the Triumphal Tour of General Lafayette, received, 262
Pinckney, Charles C., ship named in honor of, 88
Pinckney, James, appointed public printer, 190; his death, 190; ship named in honor of, 88
Pittman, N. J., joins committee, 6
Plain People of the Confederacy, by Bell Irvin Wiley, received, 177; reviewed, 382
Pocahontas, ship named in honor of, 88
"Poet, Painter, and Inventor: Some Letters by James Mathewes Legaré, 1823-1859," letters edited by Curtis Carroll Davis, 215-231

Polk, James K., ship named in honor of, 88
Polk, Leonidas L., chosen for Hall of Fame, 248
Polk, William, reports the results of election, 197
Pollock, Thomas, ship named in honor of, 89; tries to obstruct Seawell's objectives, 105
Pomeroy, E. S., publishes article, 93
Pool, Jno., defeated, 57
Pool, Solomon, nominated, 59
Poole, William F., letter from, 212
Pope, John, letters from, mentioned, 239
Population of Guilford County, table showing, 325
Porter, C. H., letter from, 148
Porter, James A., *Modern Negro Art*, received, 94; reviewed, 172
Poteat, Hubert McNeill, elected president, 92
Poteat, William Louis, his administration appraised, 377
Potter, F. W., tries new method of vaccination, 30
Powell, Thomas, letter to, 218
Powers, Mrs. Ila Barnes, serves many years with the Department of Revenue, 292
"Preserving Our War Records," paper read before annual meeting, 91
"Preserving Tar Heel War Records," address delivered at Meredith College, 361
Preston, John S., reports on deserters, 135
Price, George A., supports Pool, 59
Price, Moses, praises visit, 342
Princeton College, mentioned, 338
Problem of Federal Field Office Records, reviewed, 84
Probyn, Sir Lesley, sends son to Rugby, 211
Proctor, Mrs. C. K., presides over meeting, 90
Prohibition Movement in Alabama, 1702-1943, book received, 178
Providence (Negro) Church of Greensboro, celebrates anniversary, 257
Public Printer, prints money, 184
Public Printing Act, provisions of, 184
"Public Printing in North Carolina, 1749-1815," article by Mary Lindsay Thornton, 181-202
"Public Water Supply of Towns and Cities in North Carolina," paper read, 22
Purdie, Alexander, proposed for public printer, 187
Purefoy, J. S., asks for money, 377
Purnell, Tommy, nominated, 59

Q

Quality of Vaccine, published, 25
Questine, Henry, his idea about Heroes of America, 127
Quintard, Charles Todd, letter from, 207
Quynn, Dorothy Mackay, does war work, 388; her book received, 94
Quynn, William Rogers, his book received, 94

R

"Race: The South's Problem Number I," address delivered, 92
Ragatz, Lowell, reviews *British West Florida, 1763-1783*, 86
Railroad Commission, created, 268; duties performed by Corporation Commission, 268
Raleigh, Walter, ship named in honor of, 88
Raleigh, mortality returns of, published, 28
Ramsay, James G., suffers from ostracism, 146
Ramsdell, Charles W., *Behind the Lines in the Southern Confederacy*, received, 177; reviewed, 382
Ransom, James M., delegate to convention, 241
Ransom, Matt Whitaker, mentioned, 236; ship named in honor of, 88
Rariden, James, employed in case, 98
Reconstruction Bill, loyal people glad it passed, 242
"Reconstruction Letters from North Carolina," letters edited by James A. Padgett, 46-71, 139-157, 232-247
Records of the Moravians in North Carolina, vol. VI, by Adelaide L. Fries, reviewed, 72
Redding, J. Saunders, awarded Mayflower Cup, 92
Reeves, J. E., votes against tabling, 308
Reeves, R. E., votes against tabling, 308
Register of Deeds, computes the income tax, 267

Reid, David S., feels influence against him, 310; governor from West, 297
Reid, Whitelow, part of letter from, 204; sends congratulatory words, 208
"Reminiscences of Dr. Paul B. Barringer, Early Lincoln County," presented to Department of Archives and History, 261
Repair and Preservation of Records, mentioned, 93
"Report of the Brethren Abraham Steiner and Friedrich Christian Von Schweinitz of their Journey to the Cherokee Nation and in the Cumberland Settlements in the State of Tennessee from 28th October to 28th December 1799," document edited by Adelaide Lisetta Fries, 330-375
"Report on Indian Site in Stanly County," paper read, 93
Republic, The, published, 175
Republicans, have barbecue and speaking, 148
"Review of American Archaeology during the Past Year," paper read, 93
Revivals in the Midst of the Years, received, 390
Reynolds, R. J., Liberty ship named in honor of, 387
"Richard of Bardney's Account of Robert Grossetestis Early and Middle Life," article published, 176
Richardson, Edward, ship named in honor of, 88
Richardson, James B., ship named in honor of, 88
Rights, Douglas L., his pastorate celebrated, 386
Riley, George, letter from, 244
Road to Salem, book received, 178; reviewed, 250
Roanoke County, Va., petition against impressment in, 122
Roanoke Island Historical Association, announces appointment of trustees, 386; reorganized, 257
Robert, Joseph C., reviews *George Fitzhugh: Propagandist of the Old South*, 255
Robbins, W. M., makes speech, 146
Rocky Mount Mills: A Case History of Industrial Development, 1818-1943, received, 94
Rollins, Mrs. Ellen M., publishes newspaper articles, 176; takes part on program, 257
Rollins, Pinkney, letter from, 245
Rowan, Matthew, recommends the revisal of the laws, 185
Rowan, Robert, ship named in honor of, 88
Rowan County, population of, 319
Rowe, Mrs. John S., reelected president, 90
Rowland, Thomas, reports hard to tell loyal from disloyal people, 123
Rue, J. E., letter from, 150
Ruffin, Thomas, chosen for Hall of Fame, 248; Greene votes for, 307; Onslow votes for, 307; serves on bench, 97; urges Gaston to become judge, 102
Ruffner, Henry, challenges proslavery thinkers, 36; reaches conclusions about mechanics in South, 41
Rugby, Academy for Boys, literary and agricultural activities at, 213; principal writes letter, 204; story published about, 203
Rush, Charles E., attends library conference, 386
Russel County, Va., people refuse to volunteer in, 123
Russell, J. C., publishes article, 93; writes articles, 176
Russell, Phillips, reelected president, 257
Rutherford County, argument over proxy of, 304; Historical Association, reorganizes, 387
Rutledge, Edward, ship named in honor of, 88
Rutledge of South Carolina, by Richard Barry, reviewed, 73
Ryden, George H., his book received, 178

S

St. Mark's Lutheran Church, celebrates anniversary, 386
Salem Moravian Archives, published records from, 72
Sargent, Aaron A., mentioned, 156
Satchwell, S. S., elected to Board of Health, 11; elected president, 6; named on committee, 7; on committee, 5; presents paper, 5; recommends appointments of committee, 13; reelected president, 11
Saye, Albert B., *New Viewpoints in Georgia History*, received, 178; reviewed, 381
Scales, Alfred Moore, his election opposed, 149
Schauinger, Joseph Herman, article,

"William Gaston and the Supreme Court of North Carolina," 97-117
Schenck, Robert Cumming, tax bill "torn to fragments," 143
Schneider, Martin, goes to Cherokee land on Tennessee River, 330
Schneider, Michael, mentioned, 371
School Days at Rugby, By an Old Boy, mentioned, 203
Schor, Jacob, mentioned, 371
Scotch-Irish influence brings increase in slavery, 323
Scott County, soldier desertions in, 130
Seawell, Henry, makes objections to Gaston, 105; seeks Gaston's endorsement, 100
Secretary of State, collects for automobile licenses, 269
Secretary of War, reports on strength of army, 124
Sellers, James Benson, his book received, 178
Settle, Thomas, furnishes letters and endorsements, 148; makes speech, 62
Sevier, John, new brick home erected for, 336
Shanks, Henry T., article, "Disloyalty to the Confederacy in Southwestern Virginia," 118-135
Shaw, Arthur Marvin, *William Preston Johnston*, reviewed, 75
Shaw University, begins course of African history, 175
Sheriffs, collect state taxes, 267
Shields, J. C., written to about deserters, 125
Siler, Walter D., assistant attorney general assigned to Department of Revenue, 286
Simmons, Furnifold M., A. D. Watts clerk to, 288; ship named in honor of, 88
Simmons, William A., supervisor of internal revenue, 46*n*
Sims, John C., reprints law, 201
Slave trade in South retards growth of Negro population, 323
Smith, Benjamin, ship named in honor of, 88
Smith, Charles Henry, mentioned, 253
Smith, Charles Lee, elected vice-president, 92
Smith, Culver H., reviews *Jefferson and the Press*, 384
Smith, Franklin W., letter to, 207; writes to Rugby friend, 213
Smith, Goldwin, Hughes visits, 208
Smith, John, dealt with justly, 169; mentioned, 168
Smith, Oliver H., leading lawyer, 98
Smith, Robert, letter to, deposited in library, 259
Smith, William, delivers message to General Assembly, 121
Social Studies Conference, held at Chapel Hill, 386
Society for the Preservation of Antiquities, holds annual meeting, 91
Society of American Archivists, holds annual meeting, 91
"Some Experiences in Archaeological Work in New Mexico," paper read, 93
Soul of a Nation: The Founding of Virginia and the Projection of New England, reviewed, 168
South, land values in, 38
Southern communities, Negro population in, 321
"Southern Refutation of the Proslavery Argument," article by Kenneth M. Stampp, 35-45
Southern Regional Council, organized, 176
Southern States, slave labor retards progress in, 42
Southwestern Virginia, defined, 118; people antagonized by impressment of supplies in, 121
Spaight, Richard, ship named in honor of, 88
Spain, W. J., assistant commissioner of revenue, 292
Spencer, Cornelia P., ship named in honor of, 88
Spencer, J. C., letter to, 217
Spruill, Julia Cherry, reviews *Journal and Letters of Philip Vickers Fithian, 1773-1774: A Plantation Tutor of the Old Dominion*, 77
Sprunt, James, ship named in honor of, 88
Stampp, Kenneth M., article, "The Southern Refutation of the Proslavery Argument," 35-45
Stanly, John Wright, ship named in honor of, 88
Star, newspaper established in Raleigh, 200
Startin, Howard, mentioned, 211
State Art Society, holds annual meeting, 91
State Board of Assessment, duties of, 282; expanded, 274; given new duties, 283; membership of, 282
State Board of Equalization, abolished, 269; created, 266, 268
State Board of Health, activities in connection with sanitary conditions, 23; begins monthly bulletin, 25; collects vital statistics, 27; given

care of inland waters, 16; inspects state institutions, 24; and North Carolina Medical Society, hold joint meeting, 13; regulates common carriers, 16; sets out to improve sanitary conditions, 19; sponsors sanitary conventions, 20
State Department of Archives and History, accessions to, 178, 261; holds meeting, 89; governing board holds meeting, 389; staff members attend convention, 91
State Educational Association, Holden speaks before, 299
State Gazette of North Carolina, mentioned, 194
State Literary and Historical Association, holds annual meeting, 91
State officials, have state tax administration duties, 267
State Penitentiary, to be inspected, 15
Statistical and Research Unit, established, 274
S. S. Donald W. Bain, launched, 390
Steele, John, letter to, mentioned, 194; results of election reported to, 197
Steiner, Abraham, goes to Cherokee Indians, 330; keeps diary, 331
Steuben's, Baron, *Military Instructions*, published, 194
Stevens, George, portrait presented to Mint Museum, 175
Stevens, S. K., reviews *Records of the Moravians in North Carolina*, 72
Stevens, Thaddeus, letter to, 242
Stewart, Andrew, appointed public printer, 188
Still, Bayrd, serves in United States Army, 388
Stofer, A. F., forms partnership, 253
Stokes, Montford, ship named in honor of, 89
Stone, David, ship named in honor of, 88
Story, Joseph, his opinion of Gaston, 99
Strackhey, Sir E., sends son to Rugby, 211
Strayhorn, Isaac, supports Brown, 60
Streeter, Thomas W., supervises project, 94
Suiter, William Oran, collaborates on article, "The North Carolina Department of Revenue," 265-293
Sumner, Charles, letters from, mentioned, 239
Sumter, Thomas, ship named in honor of, 88
Superintendent of Public Instruction, votes cast for men for that office, 59
Supreme Court, bill to repeal defeated, 105; cases before deal with Negro race, 107; efforts to justify its existence, 97; portraits belonging to are being restored, 389; upholds North Carolina law, 284
Swain, David L., chosen for Hall of Fame, 248; ship named in honor of, 88; tells of crisis to Supreme Court, 101
Swann, Samuel, named on committee to revise laws, 183; signs dedication, 185
Sword Was Their Passport. A History of American Filibustering in the Mexican Revolution, reviewed, 83
Sydnor, Charles S., reviews *The Diary of a Voyage to China, 1859-1860*, 171
Syllabus of the History of Civilization, published, 259
Syme, John W., remarks about political situation, 315

T

Tabard Inn, entertains the Rugby guests, 212
Taney, Roger B., his opinion of Gaston, 99
Tarlton, J. J., elected first vice-president, 387
Tatum, Georgia Lee, her idea of Heroes of America, 127
Tax Commission, amplified, 268; duties assumed by Commissioner of Revenue, 266-269
Taylor, Charles E., secures contribution, 377
Taylor, Hannis, ship named in honor of, 88
Taylor, James H., letter from, 233
Taylor, John L., dies, 100; justice of Supreme Court, 98
Taylor, Rosser H., reviews *History of Wake Forest College*, 376
Taylor, Walker, ship named in honor of, 88
Tazewell County, soldier desertions in, 130
Tennessee, deserters return to, 124
Territorial Papers of the United States, volume XI, *The Territory of Michigan, 1820-1829*, received, 178
Territories and the United States, 1861-1890. Studies in the Control

of Dependencies, accepted for publication, 93
Test, Charles H., employed in case, 98
Tests of Genuine Vaccination, published, 25
"This World of Ours," address delivered in Raleigh, 261
Thomas, Rogers, *Calendar of Maryland State Papers, No. I, The Black Books*, reviewed, 79
Thomas, W. H., holds proxies, 305
Thompson, John R., letter to, 224, 226
Thompson, O. S., assistant commissioner of revenue, 292
Thompson, Robert L., writes biographical sketch, 380
Thompson, William Tappan, mentioned, 253
Thornton, Mary Lindsay, article, "Public Printing in North Carolina, 1749-1815," 181-202; compiles "North Carolina Bibliography, 1942-1943," 158-164
Three Napoleonic Battles, published, 388
Timely Aid for the Drowned and Suffocating, published, 25
Toisnot Academy, colored print of, presented, 261
Tom Brown at Oxford, mentioned, 203
Tompkins, Daniel A., chosen for Hall of Fame, 248
Tourgee, Albion W., letter from, 247; supports Pool, 59
Transactions of the North Carolina Medical Society, mentioned, 4
Treatise on the Powers and Duties of Executors and Administrators According to the Law of North Carolina, published, 201
"Treaty-Making Power of the United States," address delivered, 261
Trigg, Harold L., makes chief address, 386
Trinity Moravian Church, celebrates anniversary, 386
Troy, Nina, loans collection on Chinese life, 260
Trumbull, Lyman, letters in Library of Congress, 239, 240, 241
Tryon's Palace, gift made for restoration of, 389
Tucker, George, predict extinction of slavery, 43
Tucker, Richard, letter from, 57
Tupper, Martin Farquhar, mentioned, 220
Turner, James, ship named in honor of, 88
Turner, Joseph Addison, his book received, 178
Turner, Josiah, Jr., chosen for Hall of Fame, 248
Tyson, Lawrence D., ship named in honor of, 88

U

Union Republican party, its inception and importance, 66
United Daughters of the Confederacy, cooperates with commission, 93; cooperates in efforts to purchase Vance home, 175; holds convention, 89; preserves "Book of Remembrance," 387
United States destroyer escort vessel, named in honor of John Williamson, 387; Senators, election of, 294; slave trade from Africa to, 326
U. S. S. *Kephart*, christened, 175
United States Supreme Court, Revenue Department in litigation before, 285
United States, 1865-1900: A Survey of Current Literature with Abstracts of Unpublished Dissertations, reviewed, 167
University Libraries, hold joint conference, 386
University of North Carolina, celebrates anniversary, 90; oil paintings belonging to, restored, 94; wins court decision in trust fund, 94
"Unpublished Treatise on Medicine and Magic from the Age of Charlemagne," article published, 176
Upper Hyco Church, organized, 89
Upshur, Abel Parker, ship named in honor of, 88
Utilities Commission, established, 282

V

Valdese, celebrates anniversary, 91
Vance, Zebulon Baird, opposes change in health bill, 9; birthplace to be preserved, 389; chosen for Hall of Fame, 248; commission to purchase home continues campaign, 93; commission to purchase home holds meeting, 175; house in which born to be preserved, 89; ship named in honor of, 88; speaks at Jonesboro, 62
Vandiver, Frank E., edits document,

"The Capture of a Confederate Blockade Runner; Extracts from the Journal of the Confederate Naval Officer," 136-138
Van Rensselaer, Jeremiah, ship named in honor of, 88
Vaughn, Claudia V., letter from, 70
Vaughn, W. E., mentioned, 70
Venable, Francis Preston, urges state laws on food adulteration, 21
Virginia, land values in, 38; loses industries and free whites, 42; places army under Floyd, 120; slave labor supply in, 320; slavery being driven out, 39; violations of conscript law in, 126
"Visit of the Russian Fleet in 1863," article published, 93
Vogler, James B., issues statement on salvaging paper, 177
Von Prugel, Friedrich August, accepted as German preacher, 370
Von Schweinitz, Friedrich Christian, visits the Cherokee Indians, 330

W

Wachovia Historical Society, holds annual meeting, 90
Wade, Benjamin Franklin, birth, 246; letter to, 247; papers in Library of Congress, 247
Wait, Samuel, his efforts for education mentioned, 376
Wake County, courthouse bell presented to Hall of History, 390; Holden recommending Democrats, holding meeting at, 301
Walker, Amasa, mentioned, 145
Walker, John, serves as temporary president, 306; sets forth difficulties, 191
Wall, B. H., teaches in summer school, 258
Wallace, Lillian Parker, her book published, 259
Walter Clark: Fighting Judge, received, 262
Ward, Artemas, ship named in honor of, 88
Warren, Harris Gaylord, *The Sword Was Their Passport: A History of American Filibustering in the Mexican Revolution*, reviewed, 83
Watson, Richard L., serves in United States Army, 388
Watts, A. D., appointed Collector of Internal Revenue for Western North Carolina, 288; appointed Commissioner of Revenue, 289; clerk to F. M. Simmons, 288; first Commissioner of Revenue, 288; resigns, 289
Watts, John, chief of Indians, 345; farm belongs to, 346; translates talks, 347
Watts, Samuel W., nominates Carson, 59
Webster, Daniel, his opinion of Gaston, 99
Weekly Star, urges interest in health work, 8
Weil, Mrs. Henry, portrait unveiled, 90
Western Democrat, reports votes cast, 316
Whig-American editors, interested in Democratic family affairs, 299
Whitaker, R. H., writes that Democratic leaders quarrelled, 297
White, Newman I., reads paper, 92
White, Thomas B., letter from, 63
Whitehead, M., elected to Board of Health, 11; on committee, 5
Whitehurst, named in memory of Ensign Henry P. Whitehurst, Jr., 89
Wiley, Bell Irvin, *The Plain People of the Confederacy*, received, 177; reviewed, 382; reviews *Judah P. Benjamin. Confederate Statesman*, 81
"William Gaston and the Supreme Court of North Carolina," article by Joseph Herman Schauinger, 97-117
William Preston Johnston, by Arthur Marvin Shaw, reviewed, 75
"W. W. Holden and the Election of 1859," article by Edgar Estes Folk, 294-318
Williams, Benjamin, ship named in honor of, 88
Williams, Cratis D., reads paper, 92
Williams, E. K., serves with armed forces, 388
Williams, Horace, ship named in honor of, 88
Williams, Roger, ship named in honor of, 88
Williamson, Hugh, ship named in honor of, 88; suggests another printer, 192
Williamson, John, destroyer escort vessel named in honor of, 387
Wills, Henry, soliciting subscribers for copies of laws, 194
Wilmington, mortality returns published, 28
Wilmington Centinel and General Advertiser, mentioned, 195

NORTH CAROLINA STATE LIBRARY

Wilson, George P., publishes article in newspaper, 259
Wilson, William R., searches for cause of epidemic, 31
Wilson, Woodrow, ship named in honor of, 88
Windon, William, mentioned, 156
Wingate, W. M., his efforts for education mentioned, 376
Winstead, C. S., his resignation requested, 155; holds position of collector of internal revenue, 149; reasons for wishing his removal from office, 153
Wirt, William, law student, 233
Wise County, Va., people refuse to volunteer in, 123
Wish, Harvey, *George Fitzhugh: Propagandist of the Old South*, received, 94; reviewed, 255
Woman's College of the University of North Carolina, establishes historical collection, 260
Womble, Ruth, serves many years with Department of Revenue, 292
Wood, Jane, helps her father, 12; helps mail bulletin, 26
Wood, Thomas Fanning, begins to practice medicine, 3; elected to Board of Health, 11; elected secretary and treasurer, 7; his training and education, 3; his work praised, 1; named on committee, 7; prepares bulletin, 26; reelected secretary and treasurer, 11; speaks on food adulteration, 22
Woodard, Mrs. James Edwin, elected president general, 89
Woodfin, Henry G., appointed to Board of Health, 11
Woody, R. H., reviews *Addresses, Letters and Papers of Clyde Roark Hoey, Governor of North Carolina, 1937-1941*, 380; reviews *Behind the Lines in the Southern Confederacy*, 382; reviews *The Plain People of the Confederacy*, 382; reviews *The United States 1865-1900: A Survey of Current Literature with Abstracts of Unpublished Dissertations*, 167
Worth, Jonathan, assembles colored citizens, 233; kind in language toward the North, 234; ship named in honor of, 88
Worthy, Mrs. Ford S., reviews North Carolina books, 91
Wright, A. E., influences Wilmington board to pass ordinance, 27
Wright, W. H. P., letter from, 46
Wythe County, Va., petition against empressment in, 122

Y

Yancey, Bartlett, defeats efforts to weaken Supreme Court, 98; mentioned, 101
Yates, W. J., secretary of Democratic committee, 304
York, Alvin, home of, 203
Young J. Allen: "The Man Who Seeded China," mentioned, 172

Z

Zane, Betty, ship named in honor of, 88
Zimmerman, Jane, writes article, "The Formative Years of the North Carolina Board of Health, 1877-1893," 1-34

STATE LIBRARY OF NORTH CAROLINA
3 3091 00748 3795